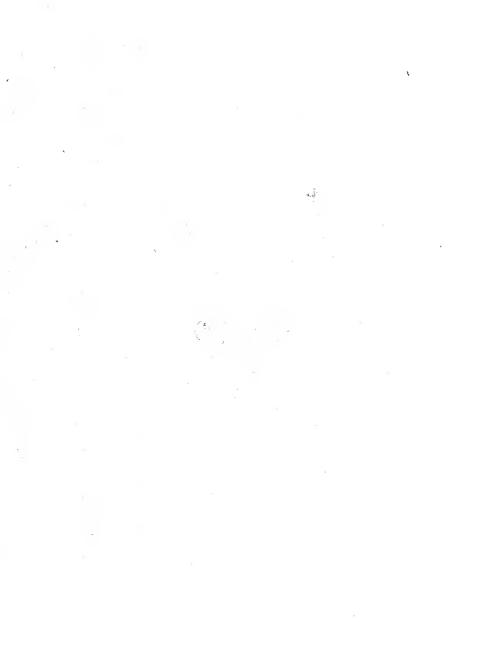


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STATE PAPERS,

AND

MISCELLANEOUS CORRESPONDENCE

OF

THOMAS, EARL OF MELROS.

VOLUME SECOND.

PRINTED AT EDINBURGH:
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EDINBURGH PRINTING COMPANY.

CCXVI-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

WE reffaued youre maiefteis lettre, towcheing the fuite maid to voure maieftie, on the behalff of the Lord Gordoun, for a tak of the rentisand cafuality of Orknay and Yetland, to be fett to him after the expiring of the Lord Vchiltrie his tak; and by this letter, it was youre maiefteis pleafoure, that we fould not onlie heir the faid Lord Gordoun and his offers, and all otheris (vf ony be) who ar defvrous to medle in that mater, bot that we fould acquent youre maieftie with thair feuerall offers, and with our opinionis anent the expediencie of the fetting of the faidis rentis and caufualityis in few. According to the directioun of the faid lettre, we haif hard the Lord Gordoun, and hes conferrit with him at lenthe vpoun that fubicat, who fayis, that in the offer maid vnto youre maiestic on his behalff, ther wes no other conditioun, bot that fame yeirlie dewtie payit be the Lord Vchiltrye for his tak, extending to fourtie thowfand merkis, quhairunto he will yitt fland, and he offeris fufficient cautioun for affurance of the payment, of the quhilkis cautionaris he gaif in a roll of a nomber of responsible and ansurable baronis and gentlemen. We haif hard no other fuitaris as yitt, be reffoun of the fchortnes of the tyme, bot vf ony fall prefent thame feltlis, thay fall reffaue fauourable hearing, and youre maieftie falbe acquetit with thair offers. And towcheing the other pointe of voure maiesteis lettre, anent the expediencie of the setting of the faidis rentis and caufualityis in few, that is a pointe of wevent and importance, craveing bothe tyme and laifer, and mature aduife and deliberatioun, for mony thingis will occur and be incident in that project, quhilkis vpoun a fuddane can nouther be foirfeene nor degeifted. Alwaves we haif gevin ordour for lookeing oute of the rentallis of Orknay, and Yetland, and, after examination of the particularis thairof, and dew confideration of your maiefteis interes, bothe anent the few and the tak,

we fall acquent youre maiestie quhat, in oure opinionis, we holde fittest to be done bothe for youre maiesteis proffeit and weele of the subjects. We haif beene spairing to be too hastie or to precipitat this bussynes, becaus thair is tua yeiris of the said Lord Vchiltrie his tak as yitt to rinne, bot we sail vse fuch conuenient diligence thairin, as sail gif vnto youre maiestie satisfactioun. And so, with oure humble and eirnist prayeris vnto God for youre maiesteis lang and happie reignne, we rest

Youre Maiesteis most humble and obedient fubicctis and feruitouris,

AL. CANCELL⁵. MELROS.
A. MAR.

W. OLIPHANT. G. MURRAY. GEORGE HAY.

Haliruidhous, 20 July 1620.

To the King his most facred and excellent Majestie.

CCXVII.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE caus quhairfoir we haif fo lang deferred the returning of oure opinious vito your maieftic towcheing the fignatour of the burgh of Edinburgh, anent the new worke intendit and begin thair, for making of cloathis and fluffis of diuers kindis within the faid burgh and liberties thairof, proceidit frome the cair we had, according to youre maiefteis most inditious and princelie directious, not onlie to foirfee that no preindice might thairby ensew to otheris, youre maiesteis subjects, interprising

the lyke workis outwith the liberteis of the faid burgh heirefter, but with that to ftrenthen and affift the faid burgh, with fuch laughfull warrandis and auctoritie, as might encourage them to fett fordwart the faid worke; for quhilk purpois, we first appoint fome of our aware number, and some baronis, gentilmen, and burgeffis of Lotheane and Fyffe, to conveene and meit with the commissionaris of the faid burgh, and to consider and examine the faid fignatoure, and the whole headis, clauffis, and articlis of the fame, and to confer and reffoun thairvooun, and in fuche pointis as thay could efpy ony prejudice, outher to youre majeftie or the effate, to acquent we thair with, and with thair opinionis anent the reformeing of the fame. At whilk meeting, the faid fignatour being verie narroulie and exactlie examined, and fome questionis and doubtis being proponned and moued thairanent, and prefented to the confideration of the counfaill table, and the commissionaris of the faid burgh, being, at verie grite lenthe, and at divers and findrie dyetis, hard thairvpoun; in end, after divers conference and meiting with thame, we haif cleirlie discussit all the objectionis and doubtis proponned against the faid fignatour, and, with mature adulfe and deliberation, we half caufit draw up and new fignatour, heirwith fend vnto youre maiestie, markit on the bak be the clark of voure maiefteis Counfaill, quhairin we haif maid fuche prouifionis, limitationis, and reftrictionis, for the weele of youre maiefleis fubiectis, as, in our opinioun, no claus nor article thairof can with reffoun be impugned. This is a verie worthie and notable worke, and in appeirance the best for the commounweele that for mony yeiris ago hes bene intendit within this kingdome. It has coift the faid burgh a grite deale of money, with fuche a willing confent and contributioun of the honeft inhabitants, as the lyke hes not bene hard of within the faid burgh. Thair is a number of handfome and commodious houffis already biggit for this worke, and fome famileis of ftrangearis els plantit and fett to worke thairin; and the worke is to fubftantiouslie bakkit and haldin fordwart be the faid burgh, that we ar in verie goode hoip that it fall not onlie prove honnorable, bot proffitable for the whole cuntrey. And thairfoir, vf youre maieftie falbe pleifed to allow of this fignatour, and returne the fame to ws vnder youre maiesteis hand, we fall caus expeid and pas the same accordinglie. And fo, praying God to bliffe youre maiestie with mony lang and happie veiris, we rest

Your Maiefteis most humble and obedient fubicctis and feruitouris,

AL. CANCELLS.
MELROS.
WINTOUN.
LAUDERDAILL.

WIGTOUNE.
W. OLIPHANT.
G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most facred and excellent Majestie.

CCXVIII. THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Tham hes beene a verie pitiefull and havie complainte maid vnto ws, on the behalff of George Foullis, maifter of your maieflies mynte, Johnne Sinclair, Johnne Trotter, and fome otheris, mercheantis of Edinburgh, awnaris of the fhip callit the Peragon of Leythe, and in name of the reliet and bairnis of vmquhile Robert Lewcope, fkippair of the faid fhip, and Williame Huntair, his mate, beareing, that the faid fhip being fraughted be fome marcheantis of Lundone to the Handis of Canaryis for wyne; and the fhip, by the fauour of God, haueing faulflie arryved at hir porte, and tane in hir laidning of wyne, as fho wes returning bak thairfra, and vpon hir dew courfe towardis the citie of Lundone, in the moneth of Marche laft, fho wes, by contrarious windis, drevin and putt in the harboric of Realing, in the west of Irland, quhair, being lyand at

ane anker, awaiting the commoditie of the wynd and wedder, Myles Burke, fone to Sir Tibold Burke, Dauid Burk McRichard, and Owen Afflutt, verie familiarlie, vnder collour of friendship, frequentid the ship the space of evght dayis, and reflaued suche kynd and hairtlie intertevnment as the maifter of the fhip could mak thame, and thay become fo familiair with maifter and companie of the ship, and intertenyed suche mutuall dewyteis of kyndnes with thame, that thay thought thame felffis in a full fecuritie, without any apprehenfioun of feare or dangeir, whilk being perfaved be thir lymmaris, and thay haueing narroulie remarkit the ordour and governament of the thip, quhairwith tho wes laidnit, and how tho wes prouidit for defence, and finding all thingis anfuerable to thair wifheis for profequatious of thair treatcherous and deteftable refolutious, thay, accompanyed with Tibot Kellie, alias Duff, Richard Kilduff, Rorye Corme, Phillop and Myles Burke, come all furthe of the faid Myles house, and boordit the ship, whereas the maister and his man wer bussie at thair worke; and at thair first entrie in the ship, thay treatcherouslie and barbarouflie killed the faid Robert Leucope, and William Hunter, his mate, and deadlie woundit the carpentair of the flip, and poffeft thame felffis with the fhip, and hir whole laidning, and enforced the feruice of the rest of the company of the ship for governing of the ship, the fpace of evght oulkis, till thay come to Broadhavin, quhair, by the fauour and prouidence of God, thay eschaiped. This being the trewthe of this mater, as we ar informed by the pairtvis greved, we ar moued, vpoun thair humble and eirnist requeift, to gif notice of the same vnto youre maiettie, and, on thair behalf, most humelie to intreate your maiestie to recommend the fame to the lord deputie of Irland, with a strait direction and charge vnto him, to grant fummair and fauourable proces and inflice vnto thame, and thair actornayis and procuratouris, in thair names, alfweele aganis the lymmaris thame felffis, as aganis all otheris who hes bene accefforce to thair doingis, in fuche forme and maner as your maiestie hes written in fauouris of the faidis maircheantis of Lundone, fua, that yf ony redres or reparatioun may possible be had, that youre maiesteis distrest subject of this kingdome may be equalie refpectit and acknowledgeit thairin, and that no prioritie be vied in the faid redres, bot that a commoun and equall confideration be had thairin. And fo, crauing your maiefteis pardoun for this our prefumption, and praying God to bliffe youre maieftie with the continewance of mony lang and happie yeiris, we reft

Youre Maiesteis most humble and obedient,

AL. CANCELLS.
MELROS.
WINTOUN.
LAUDERDALL.

WIGTOUNE.
W. OLIPHANT.
G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most facred and excellent Maiestie.

CCXIX.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE.

We reflaued your maiesties lettre, with the articlis sett down and signed by youre maiestie, and aggreit vnto be the erll of Home and the Countesse his moder, on the one pairt, and Johnne Steuart, sone to the laite erll Bothuill, on the other pairt; and accordingsie we haif at divers and fundrie dyetis, had the pairtyis and thair procuratouris befoir ws, and at verie grite lenthe hes hard thame vpoun that subject, and vpoun all and everye thing that resulted or could be propouned thairanent, and after lang conference, reasoning, and dispute, how far we might go in

a mater of this kynd be forme and ordour of law, for the fuirtie of bothe pairtyis, it was in end found, with the confent of bothe procuratoris, that the faid Johnne can not be capable in his perfone, of ony difpositionis or rights proceding frome the erll or his moder, but that the fame must be conceaved in the fauouris of a thrid perfone, fra whome thay must restaue fecuritie for thair moneyis. Vpoun whiche pointe we haueing aggreit with the faidis pairty and thair procuratouris, as the best and nixt expedient for fatling of this buffynes, we haif thairfoir heirwith returnit vnto voure maiestie the faidis articlis, whilkis it will please youre maiestie to cancell and diffroy, to the intent, that thairefter we may go on with the pairtyis, and proceid to the finall fatling of this buffynes according to the termes now aggreit vpoun. The particularis quhair of being at lenthe commyned vpoun, ar now fullie degeifted and fatled. Thair is onlie one pointe contrauerted, whairanent the pairty hes referred tham efelf to youre maiesteis determinatioun; towitt, quhairas the faid erll and his predicesfouris hes bene heritable and kyndlie poffeffors of the landis of Auld Cambmes and Fafcaftell, haldin of auld of the prioris of Coldinghame, and laft of voure maieftie be the act of annexatioun, it is inftantlie vrged on the behalf of the erll, that the landis may be referred and except oute of his dispositioun, and that he may still hald the same of your maiestie, ather blenflie or few, for payment of that fame dewitie whilk is contened in his faderis and authouris infeftmentis. Johnne Steuart being loathe to quyte his fuperioritie, is fome thing auerfe in this pointe; bot quhateuir your maiestie fallbe pleased to decerne thairintill, thay will bothe acquiesce and fland to it. Thair is one other pointe whairof the counteffe takis halde, and fofer as we can perfave, hardlie will sho be induceit to end this buffynes vales fho gett fome fatiffactioun thairanent: To witt, fho challengeis a promeis maid be youre maiestie to hir and hir sone of iim lib. fterling, whairin vf fome courfe can be tane for hir fatiffactioun, and youre maieftie haueing declairit youre will and pleafour anent the fuperioritie of the landis aboue written, all forder contestatioun anent this mater will in oure opinionis ceafe, and no thing will reft bot the fubforgueing of the contract and otheris fecurity is hinc inde, qubilk is we falbe cairfull to fee perfyted and outred. This being the effect of oure procedingis in this buffynes, we humelie prefent the fame to voure maiefteis confideratioun; and, with oure most eirnist prayers vnto God for youre maiesteis lang and happie reignn, we rest

Youre Maiesteis most humble and obedient fubicctis and feruitouris,

AL. CANCELLS.
MELROS.
W. OLIPHANT.

Edinburgh, 23 August 1620.

To the King his most facred and excellent Majestie.

CCXX.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refett of youre maiefteis lettre of the eyght of this inftant, willing ws to be particulair anent the fpeces of foreyne coyne thoght fitte to haif courfe heir, with the vtter value of eache peece, and at quhat price thay may pas without loffe to the inbringair, or hurte to the fubiectis, we convenit befoir ws, as we did the first tyme quhen this mater wes proponned vnto ws, the maister and officiaris of youre maiesteis mynte, with fome of the maircheantis of Edinburgh best acquentit with the Franshe. Spanishe, Flemis, and Easterlyne tradis, and at lenthe conferrit with thame vpoun that subiect; and haueing tane ane very enarrow and exact tryale of the estate of the coyne in these pairtis, and quhat proportioun thay holde in weyght, price, and synnes with youre maiesteis awne coyne, and at quhat raite and price thay may pas heir vnder youre maiesteis coyne, we find that the Franshe crowne and Spanishe pistollett, the rois noble, quart decue and ryallis, jumpis neirest with youre maiesteis coyne, and that the toleration of thame to haif course will chieflie worke the effect for whiche

the toleration is craved. We haif in this other tickett fett doun the value, weyght, and price of thir peeceis, with fuche moderation and indifference, as the maircheant, by the importation, may expect gayne; and no feare is to be tane of the exportation of youre maiefteis coyne vpoun this occasion, becaus the difference betuix the price is is fo small, and thair is so litle hoip of gayne to aryse by the exportation, that the maircheant will not hasaird to offend in that kynd. The regrait of the subject is for the scairstie of moneyis yitt continewis, and thay ar still humble suitearis that this toleration may be grantit; wheranent attending youre maiesteis grations will and pleasour, and humelie recommending youre maiestei, and all youre princelie affairis, to the protection of the Almightie, we rest for ever

Youre Maiesteis most humble and obedient fubicctis and feruitouris,

AL. CANCELL⁵.
MELROS.
WINTOUN.
G. MURRAY.

ROXBURGHE. W. OLIPHANT. A. HAY.

Edinburgh, 23 August 1620.

To the King his most facred and excellent Maiestie.

CCXXI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reflauit youre maiefteis lettre, beareing youre maiefteis defire of a voluntair contributioun to be grantit be youre maiefteis counfaill, nobilitie, and memberis of feffioun, with the burgh of Edinburgh, for defending of the Pallatinat, being the dowrie of youre maiesteis darrest doghter, and defrayeing of the chargeis of the warre thair; in quhilk poynte, althoght we doubt not bot all honnest hairtit subiectis will kyithe thair goode affectionis, and contribute thair best meanis for the defence of that caus, yitt, inrespect of the few nomber of youre maiesteis counfaill present this day, not exceiding sevin personis, we could resolue vpoun no other course, bot to appoint a meeting of the haill nobilitie and counfaill to be heir vpoun the xxij day of Nouember nixtocome, vnto whome we haif writtin and sent missiues for this effect; at quhilk tyme, we fall follicite this bussynes, with such pregnant ressons and argumentis, as may best procure youre maiesteis satisfactioun, and the honnour and credite of this cuntrey. And so, with oure humble and earnist prayeris vnto God for youre maiesteis lang and happie reignn, we rest

Youre Maiesties most humble and obedient fubicctis and feruitouris,

AL. CANCELLS.
MELROS.
W. OLIPHANT.

G. MURRAY. Sr J. Skene.

Edinburgh, 25 of October 1620.

To the King his most facred and excellent Maiestie.

CCXXII.-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

As the counfell, by their first letter, sent efter their receit of your maiesties, for contribution to the defence of the Palatinat promised, they

wrote for the whole nobilitie and counfellours to this day, who being all come to towne except fome few who have fent excuses of ficknesse and other necessar impediments, with declaration that they fall performe for their partes what fall be concluded by the reft: The meeting for the bufineffe hes this day beene delayed, by occasion of opposition of some Earles, created by your maieftie, fince the Earle of Niddifdails father wes honored by your maieftie with that dignitie, acclameing place before this Earle, which being fignified to the counfell, they, for preventing of furder contention amongs the parties, called them, and having fignified to fuch as opposed, that your maiefties letter to my Lord Chancelar, and the tenour of the Earle of Niddifdails patent, conteaned the true and inft reafons of your maiefties direction, the parties alledged, that all that wes done, they not being hard to propone their interest, being assured that your maiestie did not intend therby to prejudge them of the places wherewith your maieftie had honored them or their predeceffours; alledgeing alfo, that efter the Earle of Angus his reflitution, the Earle of Niddifdails father had not poffeffed that dignitie, and that his elder brother had fittin and voted in parlement amongs the Lords. The Earle of Niddifdaile answered, that his father, in all his lyfe, had ftill menteaned the place and dignitie of ane earle, and that the neglect of his brother could not prejudge him, being aire to his father, and having his right ftrengthened by your maiefties iuft declaration. opponed to him the decreit of ranking the noblemen, which affigned place to the Earle of Niddifdails brother, as Lord Maxuell, amongs the Lords; but that decreit wes gevin aganis him not compeirand. Alwayes the inflance of the parties, and requifition that the place which they had long possessed fould not be taken from them, whill their right wer decyded by the Judge ordinar, moued the counfell to direct fome to deale with them to conforme themselves to the counsels aduvce, with declaration that it fould be without prejudice of their rights before the ordinar Judge. The opponents refused to confent, but the Earle of Niddifdaill offered to do what the counfell would command, if they would teftifie to your maieftie, by their letter, that he had done it for obedience to them, and for efchewing the hinderance of your maiefties feruice, which they, being vnwilling to vndertake, he, for the fame refpect of defire to remove all occasion of

diffurbance of your maieflies feruice, yeelded to accept of fuch a place a part as the counfell fould affigne to him, whereby he fould neither take place at this time before his opposites, nor accept of a place that might import a prejudicial testimonie of his yeelding to a place inferiour to any of them. So by his differentian the prefent contention is declined, whill your maieflies knowne will, fall prescribe a cleir expedient in their controverse.

Some thing hes beene talked of the Earle of Angus his intention to crave vote before the Marquis of Huntlie, from which we have preaffed by freindlie aduyce to divert him. If he perfift, fuch order will be taken as may likewife fettle that diffraction, that we may proceed in the dutifull performance of your maiefties direction. If the multitude of the nobilitie, whose opinions and votes must be hard, force ws to spend large time, I will humblie beg your maiefties patience and pardon for my delay to wryte till the mater be broght to a conclusion.

The patents for the Vicountes are commanded to be fpeedelie exped, and fall be fent with diligence with God grace, whom I befeech long to preferue and bleffe your maieftie with all profperitie and contentment. Edinburgh, 23 Nouember [1620?]

Your most facred Maiesties most humble, faithfull, and bund feruant and subject,

Melros.

CCXXIII.—THE EARL OF MELROS TO KING JAMES VI.

Most Sacred Souerane,

My letter of the 23 declared the occasion which made that day to be vnproffitablic fpent. The comon letter fent herewith to your maiestic by the prelates, nobilitie, and counsell now in towne, will fignific

the generall willingnes of them all to heartelie obey and reallie performe your maiefties commandement. Thir lynes ar to beg your maiefties pardon for a more particular relation of fome of the circumftances in the progresse of the businesse. The whole number met upon the 24, and, after reading of your maieflies letter twyfe or thryfe, my lord Chancelar, wifelie and eloquentlie acknowledged, that no man wes either able to adduce fo good reafons as your maiefties letter conteaned, or by copious fpeech to make them more fenfible, but who ener fould prefume to illustrat them, might, like an obfcure gloffe, wrong an excellent text. And efter relation of the common duties which oblige fubiects to their princes, remembring many fingular fauors, whereby your maiefties most vertuous and iuft government, and infinit benefites, had more strictlie bund this eftate in generall, and eurie nobleman in particular, he rehearfed notable exemples of timelie and frie fupplies giuen by princes and estates to their differelled confederats, with special remarque of the noble and kynd dutie performed by Hieron, king of Sicile, to the Romans, efter their ruinous ouerthrow in the battell of Trasimenum, recorded by Liuie. He concluded with an earnest exhortation to all men to schew, in this just querrell, their liberalitie, which he defined to be a good deid proceeding from a frie mind. He wes feconded by my lord of Santandrois, who, adding reasons of conjunction in religion and comon perrell both to our lives and confciences, declared, that he refolued not to propone any argument for the inflice and necessitie of the defired supplie, which he knew no man either in heart, wourd, or deid, would deny, but thought it most expedient to aduyfe vpon the meanes, how it might be most speedelie and proffitablie veelded, fince the fcarcitie of moneyes in the cuntrie would be the greateft impediment to the best mindes, and therefore wished to aduyfe how moneyes might be had, either by highting the pryce both of your maiefties coyne and forevne speces, or any other good and expedient meane. The bifchop of Aberdene told, that manie of the nobilitie wer abfent, and none of the prelates prefent but my lord of Santandrois and him felf, none of the rest being sent for bot my lord of Glasgow, who wes tied to his bed by feeknes, and the bifchop of Ros, who being in his diocie, had not timelie warning; which respect, and the absence of so manie of the nobilitie, vpon whom those that wer present had no power to impose anie burding, made him to think that your maiefties intent might be better fatiffied by parliament, where order might be given that euerie man might be taxed capitatim. But he wished he had been so happie as to haue knowne, whether your maiestie intended that this cuntrie fould yeeld a yeerlie contribution, fo long as the warres contineued, or, that a contribution being at this time largelie giuen, fould releiue the people of further burding, to the effect the quantitie might be proportioned to your maiefties intention. The earles of Mar, Erroll, Montrois, Roxburgh, Tullibardin, Wigton, the lords Scone, Carnegie, and others, who wer required to fpeak, appeired all to contend who fould expresse greatest willingnes to fatisfie your maiesties defire, which, they acknowledged to be not onlie expedient and iuft, but most necessar. My lord Chancelars command forced me to fpeak, when I could hardlie find what to fay, that had not beene alreadie better expressed by others, yet for obedience, and to eschew repetition, I onlie preassed to refute an obiection made, not by anie of the nobilitie, but come to my eares by report of fpeaches vttered by the ignorant vulgar, or euill affected perfons: That thir warres of Germanie did not concerne this nation, onlie accustumed to ferue personallie for defense of their natiue cuntrie, and when euer they gaue aide to any forein confederat, it wes onlie by furneifling men, upon the charges and pay of those who sought our affiftance, and not by money, wherof we had in all bipaft ages beene vnfurnished, and neuer more nor at this prefent, which I affirmed to be a groffe and popular errour, fince no preceeding occasion wes comparable to this, requyring the necessar defence of the patrimonie of your maiesties children: wife men in all well gouerned eftates having euer efteemed that the children of their kings wer the pillars, bulwarks, and fortreffis of their eftate, and iewels of the kingdome, fo precious and ineftimable, that, owt of defire to have that bleffing, the fubiects had many times importuned, and almost forced, their vnwilling or delaying kings to marie. That Tibere, one of the wifeft emperours that euer wes, faid to the fenat, that the reafon of his adopting Drufus and Germanicus, wes, vt pluribus munimentis niteretur. That Titus, the most gentle and vertuous of all the emperours, had faid to his father Vefpafian, neque exercitus nec classes

tam firma effe Imperii munimenta, quam liberos principis. That Herodian recorded that the Romans, who prefumed als freelie of old to make gods, as the popes had fenfyne vfurped to make fantes, did not deifie any of their emperours, but fuch as left children to fucceed to the empire. That Christian emperours, had, with confent of their nobilitie, and of their prelates, when the church wes verie neer the first and greatest puritie, repudiated their wynes onlie because they wer barren, alledging, for example, Charlemaine, who wes the godlieft and greateft of the Christian emperours. That fince, France pretended their Salik law to exclude the doghters of their kings from fucceeding to the crowne. Lewes the Sevint had repudiated his first Queene, being heire of Aquitanie, because scho had only doghters, that he might marie another with better hope of male children. I absteaned from more exemples, albeit many wer recorded in the hiftories, thinking fuch as wer alreadie alledged, fufficient to proue, the children of princes to be the greatest and best part of the effate, and that the queen of Boheme, (whoes vertues wer fo vniuerfallie honored and admired, as feho had extorted the confession therof from the verie ennemies of hir hufband) had broght fuch ftrenth and happines to your maiestie and your subjects, by the multitude of hir most hopefull children, that they might be thought traitours to both, that fould pretend the warre moued for the ruine of their patrimonie, not to be a querrell, als proper and important to your maieflies fubiects, as if it wer raifed in the verie bowels of this kingdome. And therefore, coming to the next objection of our fearcetie of money, I affirmed that it wes fufficientlie ansuered by your maiefties gracious declaration in your letter, that we knew that moneyes wer fcarce, but that litle would be graciouslie accepted, and would help to do a good turne. That the best expedient wes, that the nobilitie fould fehew the way, and give exemple to the inferiour effates. That in the diffresse of Rome, when the impourished people, recharged with redoubled contributions, wer readie to mutine, the Conful Leuinus aduifed the fenatours, who, from the verie fundation of that effate, had beene exemed from all taxations, to renunce their privilege, and contribute all that they could therby, to encourage the people to follow their example, which, being embraced, did ftirre fo vertuous

emulation in men of all qualities, that their liberalitie wes fo fpeedelie and abundantlie broght in, vt neque triumuiri accipiendo, nec scribæ referendo, sufficere valerent. That in the civil warres of France, the reitres armie come to affift the Protestants vpon promife of pay; being frustrat therof, began a defperat tumult, tending to the apparent overthrow of the Protestants cause, which the principals of the French armie being vnable to prevent by any other meane, refolued vpon a voluntarie contribution, which wes vndelaiedlie performed, not onlie by the nobilitie and gentlemen who had fome meanes, but also by the comon fouldiours, who had more reason to craue their owne pay, nor to contribute to that of others, yea the verie goniats exhibited all that litle which wes in their purfes, to fatiffie the ftrengers. That the Perfians wer oblished, by a received custume, to offer prefents to their kings where ever they rencontred them. And Artaxerxes, one day, coming vnexpectedlie to a place where a poore ruftik cafuallie met him, the perplexed fubiects miferie affording no thing to offer his prince, he ranne fuddanlie to the neerest river, where, taking some of the cleir water in the lusses of his hands, he prefented it to that great monarche, who, respecting the well affected heart placed in that poor breaft, did fo graciouslie accept of his offer, as he commanded the water to be put in a phiole of gold, and to be placed and carefullie kept amongst the most pretious jewels of his infinit treafor. That I had red of old that the Maffilians (if I be not miftaken of the peoples name) being fo ruined by their enemies in a nauale fight, as the most part of their schips wer either sunk or taken, and the few that escaped wer so torne and disarmed, as wanting cabils, towes, and all fort of cordages and necessar furnitour, they wer altogether vnfit for feruice, and the eftate fo poore and deftitute, both of meanes and forein aide, as their cafe wes counted desperat, their matrones and maides, who weare long haire as an ornament and badge of their chaftetie, with comon refolution, did cut all their haire and bring it to the publik ftorehouse, their to ferue for making towes, cabils, and other necessars of the nauie, whereof did chiefly refult the reftauration of their ruined cuntrie, and immortall renome to their wemen as principall inftruments therof. These exemples, I thought sufficient both to incourage and direct ws, to fupplie the weakenesse of our meanes, by the alacritic of our readic and

fpedie contribution, and that no man could either refuse or delay his yttermost beneuolence, but he that was destitute of fincere affection. That meeting ended in a choife of a nomber of noblemen, prelates, and other counfellours, appointed to conveene vpon the 25, in the forenone, to aduyfe vpon the best meanes to performe reallie what wes intended by all for your maiesteis best satisfaction. Vpon the 25, a signification of the earle of Angus intention to crave vote before the marquis of Huntlie did interrupt the effect of that dvet. But, conveening in the afternone, the earle of Angus yeelded, onlie making a modest protestation, that it fould not preiudge his right in time coming. Therefter my lord Chancelar recommended feriouflie to all the affemblie that they would heartelie concurre in the proposition of the particular meanes that might best bring your maieflies defire to good effect, agreable to their vniforme intention; and willing my Lord of Santandrois first to speak, he renewed his former perfuations to procede reallie and fincerelie in the bufineffe, speciallie in forefeing fome courfe, how moneyes might be had in greater quantitie, the want wherof wes the greatest, or reither the onelie latte, to the present execution of our fathfull refolutions; adding, that albeit those who wer prefent fould extend and exceed their vttermoft abilitie, the fowme would not be wourthie to be offered to your maieftie, and could import no thing but a difcouerie of our pouertie, and therefore thoght it more convenient that the burding fould be imposed upon the whole subjects by taxation. The earles of Morton, Erroll, Montrois, and all the reft who wer defired to speake, wer of that fame opinion, and fchew that many privat men wer more able by their wealth to contribute, nor fome of the greatest qualitie, and therefore defired that fome courfe might be taken to charge them with a burding anfuerable to their fubflance. The bifchop of Aberdene feemed to feare, that, the ounerture not tending to a prefent fatiffaction, might be difpleafing to your maieftie. When I wes commanded, I gave my opinion, that, fince the cumpanie inclined to an imposition upon the effates, it could not well be done but by parlement, no other judicatour having power to impofe any vnvfuall formes of contribution, or to infringe the immunities of priuiledged perfons, or to force those, who, by their anyelrents, had furest, easieft, and greateft wealth, to contribute. But if the emperour Niger had, in time of no great necessitie, imponed tribute vpon his people, non tantum ratione foli, fed etiam ratione cæli, your maiestie, for this iust and most important cause, might laufullie taxe those who inioy folum et cælum in your dominions, with peace, fasetie, and wealth, vnder your maiesties iust and royall protection.

For the delay of time, I thought the course by parlement speedier nor the other, fince a voluntar contribution required particular mens imployements in eurie remotest schire of the kingdome, and dealing with evrie fingle perfon of whom ought wes to be craved, who being bund to no other rewle, but that of their owne will, many who might do best being fo niggardlie, and their knowledge of their dutie could not moderat their auarice, no thing wes to be hoped of them, but either refufall or grant of vnwourthie fowmes to long dayes, which, brought in, in fmall parcels, could neither promife good nor speedie effect. Whervoon the mater being put to voting, all in one voice thought a parlement the onlie beft way to fatiffy your maiesties intention. If your maiestie dislyke not this expedient, vpon fignification of your royall pleafour, all will be diligentlie profecuted according to direction; and if your maieftie preferiue any other courfe, all men appeir disposed to manifeste their zeale to obey whateuer fall proceed from your royall wifdome. So, befeeching God long to preferue your maiestie to direct and protect ws, and to multiplie his wounted bliffings vpon your maieftie and your royall posteritie, I rest

Your most facred Maiesties most humble, faithfull, and bund feruant and subject,

MELROS.

Edinburgh, 27 Nouemb. [1620?]

To the Kings most facred Maiestie.

CCXXIV.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

According to your maiefteis directioun, we caufit charge the lord of Scoone, and Patrik Pitcairne of Pitlour, to compeir befoir youre maietteis counfaill, this prefent last day of Nouember, ffor cleiring of that complainte and informatioun maid to youre maiestie, on the behalff of the faid Patrik aganis the faid lord of Scoone, towcheing certane oppreffionis and wrongis, alledgeit committit be the faid lord aganis him, and specifiet in the petitioun gevin in to youre maiestie thairanent. For obedience of this charge, bothe the pairtyis compeirit befoir ws, and the faid lord, verie inflantlie and eirniftlie, vrgeit his tryall vpoun thefe pointis contenit in the faid petitioun; and accordinglie, we laved to the faid Patrik his charge, yf he had maid ony fuche complaynte, vpoun quhat ground and warrand he had done the fame, and quhat verificatioun he had for proueing thairof. He excuifit him felff, that he had no purpois nor intentioun directlie to haif made ony fuche complaint to youre maieftie, and that he had givin no warrand nor directioun to that effect; bot that, vpour occasioun of some greevis, quhilkis, he had aganis the faid lord, he, in the moneth of Junij laft, write vp to fome of his freindis at courte to haif beggit ane lettre of recommendatioun frome your maiestie to your advocat, to haif tane some panes for fatling of all materis questionable betuix the faid lord and him freindlie, and failyeeing thairof. to haif affiftit him in his just and laughfull causs, and that this wes all that he did, without ony purpois or intentioun to haif complenit; and however the petitioun wes drawne vp in other termes, he could not anfuer for it, becaus he had not gevin informatioun thairto, nor never faw the fame. This excufe being maid in the faid lord his audience, he notwithflanding still infifted to haif bene tryed; bot feeing the other fled the tryall, and denyit the complainte, in maner foirfaid, we could proceid

no forder thairintill, bot to gif notice to your maieftie of the excuse; whilk in all humilitie remitting to your maiesteis consideratioun, and praying God to bliffe your maiestei with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient subject is and feruitouris.

AL. CANCELLS.

J. Erskyne.

R. Cokburne.

G. MURRAY.

Melros.

GEORGE HAY.

LAUDERDAILL.

Edinburgh, the last of Nouember 1620.

To the King his most facred and excellent Majestie.

CCXXV.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Whereas youre maieftie wes pleafit, in the fax hundreth and ten yeir of God, vpoun the humble fuite of the lord Elphinftoun, to honnour that familie, quhairof, vnder youre maieftie, he is cheiff, with ane approbatioun of thair genealogie, and with ane atteftatioun, that one Peter Elphinftoun (who and his prediceffouris hes leved thir mony yeiris bigane in the kingdome of France in the qualitie of gentilmen), is lineallie and laughfullie defcendit frome his houfe, as youre maiefteis patent, grantit thair-upon vnder youre grite feale, bearis. This patent wes thairefter acknoulegeit, with all dew refpect, in the fouerane courtis of France, and the gentleman accordinglie eftablished in the hereditarie possession of his digniteis, whilkis he hes peceablic inioyed till of laite, that fome personis,

invocing the gentlemanis effate and conditioun, hes begyn not onlie to queflioun the qualitic of his pedigrie, bot with that, thay haif iuditiallie challengeit youre maiefties approbatioun and atteftatioun grantit thairupoun, as teflifeing a supposed trewthe, and as purchest surreptitiouslie frome voure maieftie; and vpoun this pretext they intend to wrong the gentleman, and to bring youre maiefteis royall atteftatioun, whiche is aboue all exceptioun, in questioun. Quhilk being a mater of speciall animadverfloun, and toucheing youre maiestie verie neir in honnour and credite, vf voure royall feale shall thus way be broght in questioun, we baif prefoomed to gif notice of the fame vnto voure maieftie, and, in all humilitie, to requeift youre maieftie to write to youre ambaffadour refident at Pareis, to attend this buffvues, and to compleane of the wrong done vnto youre maieflie by medling with the facred auctoritie of youre maiefleis feallis; and for th[is] that he not onlie infift with the Franshe king and his counfaill, to procure frome thame ane prohibitioun to the judgeis of the courte of aidis, befoir whome the gentilmanis proces is prefentlie agitat, to forbeare all forder medling in that mater, or quarrelling with the auctoritie of voure maiefteis feale, whilk, after dew tryale and cognitioun tane in the caus, wes trewlie, and of youre maiefteis certane knoulege, grantit, bot with that, that thay, nor no other judgeis within the faid kingdome, prefoome to meddle in a mater of this qualitie heirefter. And fo, praying the Almightie God to bliffe youre maieftie with mony lang and happie veiris, we reft

Youre Maiesteis most humble and obedient fubicetis and feruitouris.

AL. CANCELLS.
MELROS.
G. MURRAY.

A. Mar. George Hay. R. Cokburne.

Edinburgh, 14 December 1620.

To the King his most facred and excellent Maiestic.

CCXXVI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING, according to youre maiesteis directioun, of the nynt of Marche last, verie cairfullie pervsed that fignatour of the burgh of Edinburgh, fend down be youre maieftie to ws, anent the new worke of making of cloathis and ftuffis, intendit and begyn within the faid burgh; and haueing, after divers and findrie meeting is and conference is with the magistratis of the faid burgh, discussit all the obiectionis and doubtis that wer proponned aganis the faid fignatour; in end, after mature aduife and deliberatioun, we causit forme and draw vp a new fignatour, with fuche prouifionis, limitationis, and reftrictionis, as we thoght meete for the weele of the cuntrey, and that nane of youre maiefteis fubicctis fould be prejudgeit or excludit frome intending the lyke workis in other conuenient placeis outwith the liberties of the faid burgh. Quhilk figuatour, markit on the bak be the clerk of youre maiesteis counsell, we fend up to youre maieftie in the moneth of August last, with oure lettre, bearing the forme of oure proceding in that buffynes, and quhat goode hoipis we had that this worke wald proue proffitable and honnourable to the cuntrey. Bot the importance of voure maiesteis more weightie and princelie affairis interven[ing] in this meantyme, haueing withhaldin youre maieftie frome thinking vpoun that mater, and frome returning vnto ws voure maiefteis opinioun concerning the faid fignatour; and quhairas now the advancement and perfectioun of that worke, whilk youre maiestie hes so eirniffie affectit thir mony veiris bigane, dependis wholie vpoun that fignatour, we wilbe bauld, in all humilitie, to requeift youre maiestie outher to returne the fame vnder youre maiesteis hand, or then to latt ws knoswe] quhat defectis youre maieftie hes fund in the fame, that, after confideratioun thairof, we may caus rectifie the fame accordinglie. This worke hes bene verie chairgea[ble] to the faid burgh, and thay haif maid grite preparationn of buildingis, and all otheris thingis necessair for advancement of the fame; and yf now the progres thairof falbe interrupted or hinderit, thair is no appeirance that ever the faid burgh will fett it afute agane, bot that it will altogidder perifhe, without ony hoip to be reftoirit or fett vp agane; whilk remitting to youre maiesteis most inditious consideratioun, and humelie praying God to blisse youre maiestei with mony lang and happie yeiris, we rest

Youre Maieffeis most humble and obedient fubicetis and feruitouris,

AL. CANCELL ⁸ .	Wintoun.	CARNEGY.
MELROS.	LAUDERDAILL.	Kilsayth.
J. Erskyne.	R. Cokburne.	G. Murray.
W. OLIPHANT.	LOTHIANE.	GEORGE HAY.

Edinburgh, 14 December 1620.

To the King his most facred and excellent Maiestie.

CCXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SQUERANE.

Youre maiefteis lettre of the xij of this inftant, by the quhilk, youre maiefteis of new recommendit to youre counfell, the vrgeing of youre maiefteis first directioun and demand, of a voluntair contributioun frome youre nobilitie and counfell, for defence of the Pallatinat, come heir the nyneteene at night, and wes presentit this day to youre maiesteis counsell, of whome nane wer present bot the erll of Mar and laird of Marchinstoun, with youre maiesteis ordinair officiaris, and these of the sefficion whose place aftrictis thame to a daylie and ordinair attendance; the haill remanent of the counsell, in respect of the approtcheing vacans, haueing, after

the diffolueing of the laite conuentioun of the nobilitie, reteirit home. Youre maiesteis lettre being red, and with mature and dew aduise considderit, we aggreit that, with all conuenient diligence, youre maiesteis haill counsaill and nobilitie fould be broght heir agane, and we haif appoint thair meeting, and hes writtin missives vnto thame to be heir in this toun vpoun the xxiij and xxv dayis of Januair nixtocome, to witt, the counsellouris vpoun the xxiij daye, and the nobilitie vpoun the xxv; at quhilk meeting all goode meanes and persuasionis falbe vsed quhilkis may induce first youre maiesteis counsell to begin, and then the nobilitie to follow, and to gif youre maiestei the best and most effectual satisfaction that possible we may procure. And so, praying God to blisse youre maiestei with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient fubicctis and feruitouris.

AL. CANCELLS.
MELROS.
GEORGE HAY.
A. MAR.

LAUDERDAILL.
R. COKBURNE.
CARNEGY.
J. ERSKYNE.

Edinburgh, the 21 day of December 1620.

To the King his most facred and excellent Maiestie.

CCXXVIII.-EARL OF MELROS TO KING JAMES VI-

MOST SACRED SOUERANE,

I have, for obedience of your maiefties commandement, writin to all the noblemen who pretend interest of opposition to the Earle of

Niddifdails precedence, to be before the Counfell the ellevint of Januar, that I may there declare to them the true and just causes of your maiesties resolution, to have them to forbeare farder contestation in that mater.

I have also schowne to the Earle of Angus your maiesties pleasour in the controversic betuix the Marquis of Huntlie and him; who ansuered, that he wes consident of the instice of your maiesties unpartial intentions to both parties in that question, and that his clame wes not for precedencie of rank before the marquis, wherin he wes to cede to the marquis, but that the first vote in parlement and publik conventions being granted by your maiestie and your royall progenitours to him and his predecessours, not as first earles, but by particular prerogative and privilege, by autentik infestments under the great scale of the kingdome, he hoped your maiestie would be gratiouslie pleased to allow him to inioy the benefite therof. I desired him to set downe in writ the grounds of his pretensions to be offered to your maiestie by some of his freindis at Court, upon sight and due consideration wherof he might expect your maiesties instituted determination of the busines, which he hes promised to do.

I deliuered your maiefties letter to the Proueft of Edinburgh, who imparted it to the counfell of the towne, and they have promifed according to their bund dutie to obey. I have also fent your maiesties other letter to the Archibischop of Santandrois, who will vudoutedlie proceed as he is commanded.

Your maiefties letter for the contribution being red to a verie vnfrequent counfell, their anfuer to your maieftie will fehow, that they ar fpeedelie to write for all that ar of your maiefties counfell in this kingdome, to conveene heir the 23, and the reft of the nobilitie to keep the 25 of Januar. If any perfuation could have produced good hope of fucceffe for a competent contribution, it had beene granted at the laft meeting; but it is ftill feared heir that difficulties fall be found in that proiect, and your maiefties laft letter declares your maiefties opinion, that the delay of the fupplie, whill it maybe broght in by taxation to be granted by parlement, may be fo flow, as in effect it may proue both vntimelie and vnp ofitable. For remedie wheref, my humble opinion is, that if the fowme can be ob-

t aned in parlement correspondent to the justice and necessitie of the most important affaires for which it is craved, either the bourrowes, who ar the onlie men that hes money in this kingdome, may be dealt with to advance the fowme, deduceing to them the anyelrent proportionable to their advancement before the terms of the taxation, or fome particular men may be dealt with to aduance the money, with allowance for the anvelrent, and affurance that the efcheates and lifrents of those who fall go to the horne for vntimelie payment, fall be freelie difponed to them. God is my witnes, that this motion proceed is of the true defire I have to fie the fubftance of your maiefties intention most really fatisfied, and not being imparted by me to anie creature leiving, can do no harme, if your maieftie judge it vnwourthie to be published. And what ever course fall seeme best to your majesties incomparable wisdome, none of your best affected feruants, how far focuer they exceed me in meanes of perfuafion, fall furpaffe the loyaltie of the indeuours of my bodie and mind to procure the best effects of your royall defires theirin. So, praying God to profper your maiefties interprifes, and preferue your health and facred perfone and posteritie in all prosperitie als manie happie yeeres and ages as humane condicion can admit. I reft

Your most facred Maiesties most humble and faithfull feruant and subject,

MELROS.

Edinburgh, 22 Dec. [1620?]

[To the Kings most facred Maiestie.]

CCXXIX.-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE.

THE nobilitie and counfell being conveened in this towne, as they wer appointed, upon the 25 of this moneth, they fpent that day and the nixt, in deliberation vpon the best meanes to give humble and effectual fatiffaction to your maieftie, in your defire of their fupplie to the defenfe of the Palitinat, the native patrimonie of your maieflies grand children, and finding findrie things necessarie to be proponed to your royall confideration, which they thought could not fo convenientlie be reprefented by letter, as by more ample relation of one of their number, the Archbifchop of Santandrois being verie inftantlie requefted by them all to vndertake that charge, which he could not well decline, hes refolued not to loofe any time, but hes alreadie begun his journay towards court, leaft delay might have procured your maiefties offenfe, and hinderance to that important and most necessarie businesse, which all good subjects do zealouflie affect. No thing will hinder the hafte of his paffage, vnles the extremitie of euill weather, or feekneffe, difable him to end it fo fpeedelie as he earneftlie intends. If your maieftie be graciouslie pleafed to fufpend your refolution till his coming to court, your maieftie may be affured that he will either propone the meanes which your maieflie will approuue, or, if any other courfe be vnalterablie determined by your maiestie, at his returne, your maiesties pleasour being signified to the nobilitie and counfell, I verelie hope it fall be obeyed to the vttermoft of their abilities, which I humblie remit to your gracious confideration. And earneftlie praying God long to preferue your maiefties life, health.

and profperitie, which affure the accomplishment of all the wifnes of your fubicets for their perfite wealth and peace, I refl

Your most facred Maiesties most humble, faithfull, and euir bund feruant and subject,

MELROS.

Edinburgh, 29 Januar [1621?]

CCXXX.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Vroux knowledge of your maiefteis will and pleafour, for convening of the effeatis of the kingdome in parliament, and after dew confideratioun had of the convenience of the tyme, alfweele, for the weele and eafe of the fubicctis, as for the more folemne and frequent meeting of the effeatis, we haif maid choife of the first of Junij now approtching, and causit proclame the parliament to that day. The resionis for the choife of this dyet, being groundit vpoun fuche refpectis, as we could not goodelie prevent that day, becaus the ordour of the parliament not onlie requiris a laughfull intimatioun at the mercatt croce of Edinburgh, and otheris placeis neidfull, vpoun fourtie dayis wairning, bot lykewayes preceptis frome youre maiefties chancellarie, and miffiues frome youre counfell to the haill efteatis, muft be directit and delyuerit; the difpatche quhairof will require lairge tyme. And nixt, numberis of youre maiefleis fubiectis, especiallie the nobilitie and baronis, ar vnder fo grite burdyne of debt to be pavit at the approtcheing terms of Witfonday, the outred quhairof importis thame verie neirlie in thair credite and flanding, as nouther may thay neglect nor flip that terme, nor can thay convenientlie keepe ane other dyet afoir the fame aboute the end of Aprile, becaus that wald draw a double trouble vpoun thame, and mak thame fubiect to tua

dyetis, quhairby it wes to be feared, that mony forced by the necessitie of thair hard efteatis, wald choose rather to haif incurred the danger of the vnlaw of parliament, nor to neglect the terme. And forder, the fubiect quhairin the efteatis ar to gif vnto youre maieftie fatiffactioun is alreddy fo weele knowne vnto thame, that, in oure opinionis, the terme of Martymes nixt, falbe defignit for that purpois, quhilk may als convenientlie be done in Junij, as yf the parliament had bene foner indicted, fua that the precipitatioun of the dyet of the parliament, could nowaves forder nor advance the earand, bot procure trouble and vexatioun to the fubicctis: the confideratioun quhairof moued ws to mak choife of this day as the most fitte and proper tyme, being after the terme quhen euery manis buffynes wilbe difpatcheit, and quhen the efteatis may at laifer attend. And we humelie befeeche your maiestie, to vouchfaif youre gratious allowance and approbatioun to this oure refolutioun for the dyet of the parliament, quhairin we had no other refpect bot to procure vnto your maieftie all wished contentment, with als litle trouble to the subjectis as poffiblie may be; and fo, praying the Almightie God to watche ouer youre facred perfone, and to grant vnto youre maiestie mony lang and happie veiris, we reft

Youre Maiesteis most humble and obedient fubicctis and feruitouris.

AL. CANCELLS.
A. MAR.
WINTOUN.
MELROS.
LAUDERDAILL.

J. Erskine.
W. Oliphant.
G. Murray.
R. Cokburne.

Edinburgh, octavo Martij 1621.

To the King his most facred and excellent Maiestie.

CCXXXI.-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

The Lords Chancelar, Thefaurar, and I, according to the commandment of your maiefties letter to ws, met with the Lord Archbifchop of Santandrois, and aduifed vpon the maters mentioned in the letter, and others related by him to ws, by your maiefties direction, and agried in vniforme opinion, that we could no way prefume to nominat a commiftioner to your maieftie, your owne experience and knowledge of the noblemens fufficiencie and difpofition, and your incomparable wifdome, being onlie able to make the fitteft choice. So that we can meddle no farder in that point, but humblie to pray your maieftie to confider that the perfon to be trufted with that weightie charge, muft, in the honorable exercife therof, be forced to be at great expenses, and fo will need some releif from your royall bontie.

Anent the fowme of the contribution, we could proceed no furder, but to conclude that we must all studie to extend it, to the greatest quantitie, that the cuntrie can beare, and for that pourpose, to prepare all with whom we can have opportunitie to confer, before the parlement, to yeeld to the hiest rate, and to persuade others to do the like, and to foresie the best reasons and meanes that may induce eurie estate to a verie large contribution, according to our affured good hopes. We reasoned upon the forme of the imposition, and of the maner of payment theros, not forgetting the large help which may be exacted of the welthier fort, which heretosore have been frie of all taxations, they neither being churchemen, landedmen, nor burgesses; neither could it be well seen how they might be broght under the necessitie of contribution. For removing this dowt, I proponed that the ordinar taxation being granted in large quantitie, might be imposed upon the estates in the accustomed maner, and an act of parlement obteaned, ordaning, that the wealthie anvelrentars fould contri-

bute to the fupplie of your maiefties most important and necessiarie present affaires, for which effect commission fould be given to a selected number, to call and taxe them to a reasonable proportion of subsidie, according to their stock and rent, and to summond them by open proclamation to compeir at a certane day, to give up a true declaration of the sownes, for which they received anvelrent, by infestment, band, or other securitie whatsoever, and if need wer, upon deniall to put them o oath, or to prove against them by writ; with certification, that all the sowness concealed by them sould be consistent to your maiestie, whenever they sould be discovered, and if the dettour would dilate them, he sould be frie of the thrid of his debt for his panes, he payand to your maiestie the two part thairof, which the lords consented to; and if this course receive your maiesties approbation, it fall be proponed and carefullie presented.

It wes thought be ws, that your maiefties diffebarge of bypaft contrauentions of the penall flatutes, will greatlie encourage the people, now flanding in feare of vexation, by reports of fome mens intentions to beg warrands to trouble the fubicets by fuch perfutes, to grant the more willinglie to a large taxation, and that much more may be expected if it fall be allowed to come in at findrie termes, nor if it fall be preaffed to be payed all at one dvet.

My Lord of Santandrois tolde me, that your maiestie had directed him to command me to send up a warrand for appointing a commissioner, which I sent heirwith; and that I sould also send the frame of a letter to be directed to the estates, which I have likewayes obeyed, but with just seare that the prolixitie may offend your maiestie, and that more fall be found in it to deleet or alter, nor to be allowed. But I still hope that your maiesties accustomed grace and bontie to me sall procure my faithfull obedience to be accepted for facrisice; and thank God that I have a royall maister, excellent aboue all others, in well doing, speaking and writing, to pardon, couer and amend my defects; and as in France their king is compted the first secretarie of estate, and hes assigned to him (as they terme it) la premiere bourse of their sies, so I am assured, that when all the best secretaries of the world sall be conveened, they will be found inferiour to your maiestie in the skill of their owne prosession, and I being

one of the most incapable, must regrate and excuse my errours with the miffortune of wanting the happines of your maiesties particular directions, and still have recourse to your maiesties gracious and benigne construction, which, with innumerable other benefites and fauours, fall make me incessantlie to befeech God to continow his bleffings to your maiesties subjects by your long and happie life, and euer to comfort and strenthen your royall mynde with the prosperous successe of your princelie interprises, and accomplishment of your defires. Edinburgh, 29 Merch [1621?]

Your Maiesties most humble, faithfull, and eternally bound feruant,

MELROS.

To the Kings most facred Maiestie.

CCXXXII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

The comptis of your maiesteis thesaurarie and comptrollarie being latelie maid in your maiesteis exchequer, and verie narrowlie examined and remarkit, be those who wer truisted with the bustynes, it is cleir-lie fundin that your maiesteis casualty and rentis ar verie far diminisheit, and come shorte of that quhairunto thay amounted in the preceding comptis, the occasioun quhairof hes proceidit pairtile frome the decay of the trade and handling, quhilk is wounderfullie fallin of, in all the pairtis of this kingdome, and pairtile frome the small pryceis that the victuaill prefentlie gevis. And althought your maiesteis thesaurair and deputie thesaurair, with the concurrence of the commissionaris of your maiesteis rentis, hes beene verie solist, cairfull, and diligent to supplie and set up this defect and diminutioun in your maiesteis rentis, by sindrie meanes and wayis,

quhilkis thay haif cairfullie followit oute to that effect, yitt thay can not bring your maiefteis rentis, and the burdynis lyand and daylie increfeing vpoun the officeis, to ane equall proportioun; with the particularis quhair-of we being loathe to impafhe youre maieftie, and youre deputie thefaurair being defyrous to gif ane accompt thair to youre maieftie him felff, we haif allowed of his goode intentioun in this pointe, and wilbe bauld humelie to intreate your maieftie, that quhen he comes thair, youre maieftie wilbe pleafit to grant him fauourable acceffe to youre royall prefence and benigne audience, to relate vnto youre maieftie fuche particularis, as he hes to propone for the advancement of the feruice, with fuche laughfull furtherance and affiftance as may in able him to difcharge the fame to your maiefteis honnour and contentment of the fubiectis. And fo, praying the Almightie God to preferue your maieftie in helthe, and to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiefties most humble and obedient fubicctis and feruitouris.

AL. CANCELLS.

MELROS.

W. OLIPHANT.

KILSAYTH.

J. HAMILTON.

Edinburgh, 29 Merche 1621.

To the King his most facred and excellent Majeftie

CCXXXIII -- EARL OF MELROS TO KING JAMES VI

MOST SACRED SOUERANE,

My just greif for my errour in the narratiue of the letter to the parlement, forces me to importune your maiestic with my most humble

fute for pardon, and for your maieflies gracious permiffion to adde this true excuse, that not having direction or warrand from your maieflie to enterteane correspondence with anie strenger, I have carefullie forborne to do it by wourd or writ; neither have I knowne from court, either by particular letters to my felf, or by anie wretin to the counsell heir, anie certanetie of the estate of the affaires of the Palatinat or Boheme; and so wes forced to follow the incertantie of popular reports. I submissible befeech your maiestie to be graciously pleased, at all efter following occasions, to make me happie by more particular direction of your most excellent wisdome, which I sall follow as the infallible reule of dutie.

As to the contribution, wheref your maieftie commands me to have care, all the nobilitie and counfell ar witneffis of my zeale expressed in that mater at both conventions, by such reasons and exemples, as bind me to continow and to adde all furder persuasions which my weake iudgement, reading, or experience can furnish. And the innumerable graces received from your maiestie fall make me incessantlie to befeech God to perpetuat to your maiestie, and your royall posteritie, the persection of all happinesse in heaven and earth, and to remane

Your Maiefties moft faithfullie humble and obedient fubiect and feruant,

Melros.

Edinburgh, 28 April [1621?]

To the Kings most facred Maiestie.

CCXXXIV .- THE EARL OF MELROS TO JOHN MURRAY.

SIR.

YESTERNIGHT I received by packet of the tuentie, your two letters of the 17, and have, as ye adulfed me, wreten to yow this other

letter, to be showne to his maiestie when ye find opportunitie. The counsell is to conveene vpon the fourt of June, at which time I still prefente your roll, and settle that turne conforme to your direction, in the best fort I can.

Your busines with Waughton delayes by Sir James Bailies default, who received from Mr Francis Hay the contract fifteen dayes ago, and still reteanes it; fo, till his returne to this towne, nothing can be done therin. I wrote to yow before of the conference I had with my lord Stormont, wherby I fie no appearance of farder progresse in these affaires, vales he change his mind. In the meantime, things may rest as they ar; and whill ye sie some better resolution in him, ye may forbeare to furnish moneyes for the vse proponed by him, pretending justile the greater necessitie of the releif of debts undertaken for your bargane of Tunigham.

I deliuered your letters to James Hamilton, who wes returned before they came to my hands.

I am glade ye haue fetled with the earle of Niddifdaill. In your question of nighbourheid, I fall do the best offices I can for fetling it, if these for the other partie please to proceed upon the grounds intended by yow, which I scarcelie expect, and search he leane too much to the opinion of his right and power of his freinds heir; but if it turns to that, I am consident that many whom ye haue oblished, will proue honest and thankfull men in all lawfull dutie. It fall be aganis my will, it go to that triall, unless their strictnesses force it. So, wishing yow all happinesses. I rest

Your faithfull and euer obedient freind.

MELROS.

Edinburgh, 28 May [1621?]

To the right worshipfull John Murray of Lochmaben, one of his Maiesties Bedchamber, at Court.

CCXXXV.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

WE reflaued youre maiefteis lettre of the fecund of May laft, by the quhilk, it hes pleafit your maieftie, to recommend vnto ws the confideratioun of that petitioun, exhibite vnto your maiestie on the behalf of Ludonik Steuart, brother to the Lord of Blantyre, anent the erecting and fitting vp of beaconis vpoun the shallow pairtis and blind craigis, within the river of Forthe, and it wes your maiefteis pleafour, that we fould returne vnto your maieftie, oure opinioun anent the expediencie of the granting of that petitioun, in the quhilk point, as with all dew refpect, we acknowledge youre maiefteis most fingulair and prudent directioun, and youre excellent foirfight and wifdome, in foirbeareing to gif way to petitionis of this kynd, till first youre maiestie be trewlie informed of the nature and qualitie of So anent this particulair, the trewthe is, that in this laite vnfeafonable and tempeftuous winter, fome ftrangearis fchippis being brokin and caffin away vpoun the faidis blind craigis, fir George Bruce, oute of his honnest respect to the credite of the cuntrey, maid a motioun vnto ws, for fetting vp of beaconis vpoun the faidis blind craigis, and he vndertooke the doing thairof, vpoun a verie fmall dewtie to be payit be euerie ftrangear ship passing up the firthe for ane yeir; bot the gentlemen awnaris of the coilheuchis vpoun the revair of Forthe, whome this mater chieflie concernis, inrespect no strangearis shippis comis that way bot outher for coill or falt, apprehending, with verie goode refloun, that the payment of this dewtie wald carye with it a verie grite reproitche and fcandall to the cuntrey, as yf fuche a fmall peece of worke in the most eminent river of the kingdome, could not be gottin done without the contributioun and help of strangearis, thay thairfoir haif vndertane, freelie and vpoun thair awne chargeis, to fett vp the faidis beaconis, betuix and this approtcheing

Lambmes, fo that now thair is no necessitie, that ony other is falbe fett on worke that way; and yf the lyke of this occasioun shall fall oute in ony other river of this kingdome, vpoun knowledge to be gevin thair of vnto ws, we shall tak suche course and ordour thair anent, as shall best stand with the credite of the cuntrey and faulstie of shippis arryveing in the saidis riveris. And so, continewing our eirnist and vncessant prayers vnto God for your maiesteis long, happie, and blissed reigne, we rest

Youre Maiesties most humble and obedient subjectis and feruitouris.

AL. CANCELLS.
A. MAR.
MELROS.

Dunblane.
R. Cokburne.
J. Cokburne.

Edinburgh, the fyft of Junij 1621.

To the King his most facred and excellent Maiestie.

CCXXXVI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI

Most Sacred Souerane,

Thair hes beene tua remissionis signed be youre maiestie laitlie, presented to be exped be ws, the one in fauouris of Sir James M'Donald,

and a number of his compliceis, for the flaughter of M'Clane, for breking of warde oute of the caftell of Edinburgh, for furprifing of the caftell of Dunnyyaig, for fyre raifing, and all otheris crymes committit be thame; and the other in fauouris of M'Rannald, and certane his compliceis, for convoying of the faid Sir James M'Donald oute of the caftell of Edinburgh, for fyre raifing at the castell of Dunnyvaig, flaughter of the constable thairof, and for all otheris crymes and offenfles committi be thame: And althought we acknowlege youre maiefteis royall power, and youre most gratious and clement difpositioun, to extend youre fauour and mercie to suche of youre maiesties subiectis as hes offendit, yitt the truste whilk youre maiestie hes repoifit of youre affairis in ws, obliffes ws in dewitie to prefent vnto youre maiesties confideratioun, oure humble opinionis concerning thir remissionis; for in materis of this kynd, importing the quvet of the flate, and concerning chiftanis of clannis in the Heighlandis and Ilis, who hes grite dependance, and ar followit be mony perfonis wickedlie and evil disposifit, youre maiestie hes beene pleasit that goode suirtie be fundin for youre maiesties peace, and for thair futur obedience to law and juffice, in whilk pointe thair hes no fuche offer beene maid be thir perfonis. And however we perfuade oure felffis, that it is not youre maiefties meaneing that thay fall returne within this kingdome, yitt it is expedient, for preuenting of all occasionis that may fall oute, that thay fall find fuirtie for the peace, for thay and thair friendis, who now lurkis and ar quyet, and who, without doubt, will ryfe and joyne with thame, yf thay fal happin to returne, hes fo far medlit with the lyves and bloode of nomberis of youre maiefteis fubiectis, that it may be certanelie expectit, mutuall revengeis wilbe huntit for on ather fyde, quhairupoun fuche difordour and confusioun will fall oute in the Ilis, as will require grite panes, chargeis, and expensies to pacifie the fame. The confideratioun quairof hes moued ws to continew the expeiding of thir remiffionis, till we understand forder of your maiesteis pleafour thairanent; and we will humelie befeeke youre maieftie to vouchaif youre gratious acceptance and fauourable conftructioun of this oure humble opinioun, quhairin we haif no other refpect bot youre maiesteis obedience and the peace of the cuntrey. And fo, praying the Almightie

God to protect youre royall perfone, and to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiesteis most humble and obedient fubicetis and feruitouris,

AL. CANCELLS. W. OLIPHANT.
A. MAR. G. MURRAY.
MELROS. KILSAYTH.
GEORGE HAY. J. HAMILTON.

Edinburgh, 7 Junij 1621.

To the King his most facred and excellent Majestie.

CCXXXVII.-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

According to the commandment of your maiefties letter, I wrote for the principall gentlemen of the earle of Homes name to come to this towne, to know by me, your maiefties pleafour in maters concerning the earle and his house; whervpon the lairds of Wedderburne, Aytoun, Blacader, Poluart, Manderston, Hutonhall, and Northberuik, came, to whome I related the finishing of the earles mariage, before they could be aduertised, proceeded of your maiesties earnist defire to haue it done (as a mater greatlie importing the young noblemans good) before the vicount Falkiand sould go to Ireland, and therefore wished them not to mistake it, but think of it, as a mater procured by your maiestie for the parties good, of whom, and all his affaires, your maiestie intended to take a gra-

cious care. I fhew alfo your maiefties expresse will that they fould keepe dutie to the earle, and be inftruments of peace and loue betuix him and his ladie, which they all heartelie promised, resting satisfied with what wes done, since it proceeded from your maiesties good pleasour, whose gracious respect to that ancient house wes notour to them all. They desired that, in other maters of importance concerning the earle, the countesse his mother might make her intentions and courses knowne to them, and heare and respect their saithfull aduice therin, which, if scho neglected, they could have no contentment to mell in the busines. I promised to propone their desire and obteane their satisfaction, and so dismissed them with contentment, ioyning with me in prayers to God for your maiesties long and happie life. I rest

Your Maiesties most humble, faithful, and bund subject and feruant.

MELROS.

Edinburgh, 14 June [1621?]

To the Kings most facred Maiestie.

CCXXXVIII. EARL OF MELROS TO JOHN MURRAY.

SIR.

I have been foght be the laird of Bas and his mother, to deale with them at this terme for fome Lammermure rowmes of fmall availl, which he held of me, and hearing that others were of intention to have blocked, for whom the rowmes were not fo necessarie as for me, who have no vther store rowmes for sheep to the vse of my house, when I dwell in the Byres, I accepted of their offer, and have payed to them one and

tuentie thoufand merkis. They have yet reteaned undifponed ane rowne halden of me, for which they are bound to pay yeerlie aucht chalders victuall, which is very neere the vtter availl of that land, albeit I offered to have given them any fmall price it could have beene tryed more worth nor the fewferme; but they give owt that they will fell no more. In the meantime, I will affure yow, that one of their neerest and best freinds hes told me, that he perfitlie knowes, that if they fell als much land as may pay their debt, they will have litle or nothing behind to themfelues, and ere ane yeare be at ane end, they will either fell the most part of that eflate, or it will be comprifed from them. Therfore, if yee haue a mind to deale, prepaire moneyes fo foone as ve can, for their necessities will force them to do that which in vaine they ftriue to effiew. I neede not to feek thankis from yow for forbearing to mell in their barganes, because I am vnable for want of moneyes, but I will pray yow to beleeue, that albeit I had more nor their valiant, I wald not give them fyve fhillings, if I knew that we intended to bargaine with them, except for the rowme of Grangemure halden of me, the price wherof will not exceed the worth of my fewfermes in two or thrie thousand merkis. If ye deale with them, the greateft difficultie will arrife from inhibitions ferued aganis them, for fome have alreadie begun, and it is to be feared that their exemple may move others to do the like. Whatever ye fall with me to do for help of your intentions in this bufines, vpon advertisement fall be hairtelie be performed by

Your most affectionat and bund freind,

MELROS.

Edinburgh, 19 June [1621?]

To the right worshipfull John Murray of Lochmaben, one of his Maiesties Bedchamber, at Court.

CCXXXIX.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Thair hes beene a petitioun preferrit vnto ws, in name of youre maieflies goode fubicctis, the marcheantis of this kingdome, who tradis and trafficquis in France, proporting, that quhairas thay, for the better intertenving of thair trade in that kingdome, haveing ever beene in vfe to haif thair factouris Ivand at Pareis, Rowane, Deip, Newheavin, and Burdeaulx, and fuche otheris townis and pairtis in France, quhair the intercourfe of thair commodityis wes most frequent and commoun, and that thir factouris haueing the charge and trufte of thair whole goodis, and of the wairing and returning of the fame, and of the paving and reflaueing of thair debtis, and fome of thame, haueing thair whole flokkis lyand in thair factouris handis: That now, vpoun occasioun of thir troublis in France, quhairwith thefe of the religioun ar cheiflie threatned, thair faidis factouris doe not onlie underly the commoun dangeir and calamitie with the rest of thair religioun, bot with that the goodis of thir petitionaris, quhairof thair faidis factouris hes the charge and trufte, ar lyke to be expoifed to the difcretioun of the merciles fouldiour, quhairthrow, nomberis of youre maiefties goode fubiectis wilbe overthrowne and wrakit, vules your facred maieftie, oute of youre accustomat princelie and tender regaird of thair diffresses, prouide remeid. And thairfoir, thair humble petitioun vnto ws, wes, that we wald recommend thame vnto youre facred maieftie, and, on thair behalffis, be humble intercefforis vnto voure maiestie, that youre maiestie wald be gratiouslie pleasit to write in thair fauouris to the Franshe king; as youre maiestie hes alreddie done, in fauouris of the Inglishe marcheantis and thair factouris; that thay and thair factouris may peceablie vfe thair trade within the faid kingdome; that thay may call for thair debtis be ordour of law, and that thav be not troublit in thair confcienceis, perfonis, or goodis, be vertew of onv edictis maid, or to be maid, for makeris of religioun, or onv thing

depending thairupoun; and that thair armour quhairof thay ar alreddie fpoylled may be redelyuerit vnto thame. This being the effect and fub-flance of thair petitioun, we humelie prefent the fame to youre maieflies princelie confideratioun; and we will craue permiffioun humelie to befeeke youre maieflie, to gif vnto thame fome fatiffactioun in this point, after fuche a forme and maner as youre maieflie, in the excellencie of youre incomparable wifdome, fall holde fitting, by whilk doing, youre maieflie will prevent the appeiring ouerthrowe of a nomber of honnest famileis, whose whole estate and stok is lyand in France, and thay wilbe stoirit vp, in a most christiane and holie dispositioun, to be so mutche the more feruent, according to thair bundin dewitie, to concur and continew with we in thair vncessant prayeris vnto God for youre maiesties lang, blissed, and happie reigne. Frome Edinburgh, the xxi day of Junij 1621.

Youre Maiefties most humble and obedient fubicetis and feruitouris.

AL. CANCELLS.

Metros.

Lothiane.

Carnegy.

Kilsayth.

To the King his most facred and excellent Majestie.

CCXL.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

We reflaued youre maiefteis lettre of the xxv of May laft, by the quhilk, it appeirs youre maieftie hes tane fome offens, becaus youre maieftie wes not acquentit be ws with the rebellioun of the Erle of Caitlines.

and with the difordouris of the cuntrie of Caithnes, quhilk, as youre maieftie is informed, is now become als barbarous as the most remote pairtis of the Heighlandis or Ilis; and thairfoir it is youre maiesteis pleasour that we fall expeid a commission to Sir Robert Gordoun for persure of the said erle and taking of his housse, and that we sail tak ordour that euerie landit man in the cuntrie of Caithnes, sall, anes or twyse yeirlie, gif thair personall compeirance befoir ws, as the chiftaneis of the Ilis dois, to ansure to such ecomplaintis as sall be maid aganis thame: and last, that the gift of the said erle, his escheate and lyverent, salbe disponit gratis to such a persone, as the bischop his commissiar and ministeris fall nominat, for thair vse and behoofe. In quhilkis particularis, we will humelie crave youre maiesteis permission first to cleir oure selfsis of these pointis, quhairof youre maiestei seames to tak offens aganis ws, and then to present vnto youre maiestei oure opinioun concerning the other pointis of youre maiesteis lettre.

And first, for not acquenting your maiestie with the erlis rebellioun, and with the disordouris of the cuntrey, we haif not hard of ony publict or avowed rebellioun profest be him, whairupoun thair wes ony appeirance of trouble or vnquietnes lyke to follow. He is diuers tymes at the horne for ciuile causses, bot he hes had suche a doing with his creditouris, of feeding thame with hoipis and expectatioun of payment, that thay haif beene verie oft petitionaris and fuitaris vnto ws, for protectionis and continewationis vnto him, and thay can not, nor will not, complene of want of justice, bot thay haif bene affissit with all suche executioun, reall and perfonall, as is ordinair in civile hoirnings: and towcheing that criminall hoirning object agains him at the commissaries instance, for the slaughter of his brother, thair wes litle or no intimationis maid thairof to ws, as foir the refett of this youre maiesties lettre. The pairtie hes had the lawis patent vnto him, and in the profequution thairof, wes never denyit of ony thing, that the course of justice in suche a caise wald allow.

And for the difordouris of the cuntrie, and aftricting of the landit men thair of to thair perfonall compeirance yeirlie befoir the counfaill, we may confidentlie fay vnto your maieftie, that we haif hard als few complaintis or difordouris in that cuntrie as in ony other pairt of the incuntrie, for your maiefties fubiectis who tradis and trafficquis thair, hes the exercife of thair trade and handling, in als grite fredome and fecuritie thair, as ony quhair els; and the landit men of the cuntrie ar ciuile, peceable, and antuerable gentilmen, levis vnder the obedience of your maieftie and your lawis, and followis thair actionis, quhen thay ony haif, be the ordinair course of instice. Sua, that, in oure opinionis, (faulfling youre maiesteis more excellend indgement, quhairunto we submitt oure selfs,) it is not expedient that thay who ar, and euer hes bene, in the rank and qualitie of ansuerable gentlemen, salbe tyed to the necessitie of personal compeirance yeirlie, or that thay salbe straitit with those conditionis, quhairwith the cheftanis of the ilis, quho euer hes bene disobedient and vnansuerable, ar burdynnit.

And towcheing the commiffioun commandit to be exped to Sir Robert Gordoun, we fend for him, and impairted vnto him youre maiesteis directioun in that pointe. The gentilman feamed verie willing to vndirgo, quhatfomeuir burdynis or feruices your maiestie wald impoife vpoun him, and thairin to hafaird, not onlie his awne efteate and fortoun, bot the lyves and fortonis of his freindis and followaris: bot anent the executioun of the commissioun in that substantious forme and maner, as wes requisite for youre maiesteis honnour, and his awne credite, he proponned some difficulty is and doubtis, as namelie, yf the erle fould flee to ony houffes or strenthis, quhairof he hes three verie strong, in quhat forme and maner fould the houffes be perfewit, feing thay wer not able to be recouerit without the cannoun; and quhen, as we wer reafouning vpoun this difficultie, after that Sir Robert wes removed, thair fell oute another queftioun at the Counfaill table, anent the trouble that might aryfe, vpoun the executioun of this commissioun in the persone of the faid Sir Robert, in respect of the mony eleiftis, discontentmentis, and jarris, standing betuix the houffes of Suthirland, Strathnaver, and Caithnes; and yf the pouer and forceis of Suthirland and Strathnaver fould come in Caithnes, vnder the charge of the faid Sir Robert, who now, in the minoritie of the Erle of Suthirland, reprefentis the head of that house, it is to be feared, that mony occasionis wald occur betwix thame and the cuntrey people of

Caithnes, quhilkis wald procure grite difordour and trouble; and thairfoir it wes proponned, as ane expedient for efhewing of all fuche appeirand difordour and trouble, that the Lord Gordoun, who is ane neutrall and indifferent nobleman, and quhofe authoritie and prefence wald do mutche in thefe cuntreyis, fould be adioynit vnto Sir Robert in this commission: quhairanent Sir Robertis awne opinioun being craued, he verie hairtelie and willinglie imbraced the ouertour, promissing to joyne and concur with the Lord Gordoun with his haill pouer, freindship, and forceis in that feruice. And the mater being proponned to the Lord Gordoun, he verie wyslie, and with ressount, answerit, that he wald not intrust himself in youre maiesteis feruice, without your maiesteis allowance and speciall directioun; promissing neuirtheles, to vndirgo quhatsomeuir youre maiestei falbe pleasit to injoyne vnto him, in this or ony other thing els.

And towcheing the efcheate and lyfrent of the faid Erll of Caithnes, that is all quhairupoun his creditouris and cautionaris, who ar mony, and youre maiefteis goode and faithfull fubiectis, hes buildit thair hoipis of payment, and without the quhilk, thair is no poffibillitie of releiff or payment. Thay are a nomber of honneft men, and fome of thame hes thair whole efteate and fortonis in the erllis handis; and yf otheris, whofe entres is littill or no thing, falbe preferrit to thame in this point, thay and thair famileis wilbe vndone. Thay advanceit thair moneyis quhen the erle wes ane free and laughfull fubiect, thay haif not bene accefforie to his mifdeidis, nor hes not offendit agane your maiefties lawis; and thairfoir we will humelie intreate your maieftie in thair fauour, that thay may be preferrit to the efcheit and lyfrent, without the whilk thay ar vndone.

In the otheris point anent the commissioun, and the personal compeirance of the landit men of Caithnes yeirlie, we humelie befeeke your maiestie to accept in goode pairt oure opinionis thairanent, quhairin we ar free of all privat respectis, and hes no thing befoir oure eyis bot your maiesties honnour, the peace of the cuntrey, and surtherance of your maiesties feruice, and that youre maiestie wilbe pleasit to latt we know your awne pleasour, bothe anent the adjoneing of the Lord Gordoun to this commission, and quhat course salbe followit oute aganis the faid erle, yf

his houses falbe keept, quhilk we looke not for. And fo, with our humble and eirnist prayeris vnto God for your lang and happie reigne, we reft

Youre Maiesteis most humble and obedient subjects and feruitouris.

AL. CANCELLS.
A. MAR.
WINTOUN.
WIGTOUN.

Lauderdaill.
Roxburghe.
J. Erskyne.
R. Cokburne.

Edinburgh, 28 Junij 1621.

MELROS.

To the King his most excellent and facred Majestie.

CCXLL_EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

Necessare ductic commandisme to give your maieftic advertifement, of the proceeding of matters concerning your maieftics parlement of this your native kingdome, and my exercife therein refufing me leafure to doe it orderlie, forces me to beg your maieftics gratious pardon, rather to doe it in rude forme and ftile, nor, by curiofitic of those, to neglect any pointe of substance. The marquis of Hamilton, your maieftics commissionare, came to Edinburgh vpon the 18th of this moneth, and met no fooner some noblemen and barons vpon his way, but, after interchanged courtesies, he begane to require their affistance in his charge of your maiestics service. The nixt day he conferred with the deane of Winchester and archbishope of St Androis, of church matters and others, concerning

your royall directions in parlement, and then mett with fome few of your most trusted officers and counselloris; and least the rest of the counsell and nobilitie should suspect that conclusions wer made by a few nomber, and they neglected, he convened them all vpon Satirday, and by their advife, refolued vpon the time of fenfing the parlement day, of the ryding of the eftates, and courfe to be kepte for preventing contentions, trouble, or diforders. Vpon Sonday in the afternoone, and Monday, he continued his dealing with particulare men of evrie effate, and speciallie the noblemen, whose favour he preassed to conciliate be hartie conversation and feafting. But hearing upon Monday afternoone, that a madd minister of Merton, called Simpson, had made a foolishe and malitious fermon in the Grayfreir churche of this towne, upon Sonday in the afternoone, and that Maister Andro Duncane, fometime minister of Craill, and for fundrie contempts done to the bishopes now deprived, had given to the clarke of register a supplication to have been presented to the parlement, impugning in effect the Articles of the Affemblie of Perth, whome two ministers, the archbishope of St Androis and I, caused be apprehendit by the captane of the gaird, your maiefties commissionare did prefentlie convene the counfell, where they werr accufed, and, vpon notorietie of their offences, wer prefentlie fent prifoners to the caftle of Dumbarten; and vpon knowledge that the commissionares of the burrowes had affembled themfelues for affaires concerning their estate, and that some nyne or ten ministers had importunelie obteaned entrie and audience of them. and exhorted them not to allow in parlement the Articles of Perth, offering to reade and deliuer to them their fupplication and proteftation, like to that other given by Mr Andro Duncan to the clarke of register, your maiefties commissionare, by advise of the counsell, ordained a proclamation to be made, declaring, that vpon knowledge had of the feditious behaviour of fome ministers, who, to the scandal of their profession, having left their flockes and due charge, wer come to Edinburgh to flir fedition, and trouble the courfe, inflie intendit by your maiestie for the good of the eftate and churche, therfore they wer all commanded to voyde the towne, and returne to their charge (excepte fuch as, verifieing to their ordinares the lawfulnes and necessitie of their affaires, should obtean their

licence to remayne), vnder the payne of horning and prefent imprifonment, whiche being published, hath fred the towne and estates of that tumultuous crew. Vpon the 25th, the eftates being readie to ryde to the Parlement House, Langton, ingyring himself to take possession of the office of ither to your maiestie, whiche nather he nor any of his predecessours had inioved in any living mans memorie, and being first requisted, and therafter charged, diffouring both, wes, for his contempt, fent to the caftle of Edinburgh. Immediatlie therafter, a contention arose between the lords Hay and Keith for their priviledges in keiping and garding the Parlement House, whiche being difficillie fetled, the estates raid to the towbuith, in greate nomber and good order. Being convened, your maiesties commission wes red, and then the archbishope of St Androis made ane excellent fermon of the honour and obedience due by fubiects to princes, of tribute and custome to be payed to them, and exponed wittelie the word reddite, afcriving it to due and necessarie payment, and not to giving, adducing the exemple of Christs owne payment of tribute, and his mothers takeing him in his cradle to Jerufalem, where the whole Jewes wer, by the law of God, commanded yearlie to convene and pay tribute. He alledged many exemples of the loffe and ruine of kingdomes and estates for neglecting to contribute to supplie the warres of their princes, and most notablie the losse of Constantinople and the Impire of the Orient, applying all to the justice and necessitie of your maiesties prefent desire, whiche he amplified by all convenient circumftances. Laft, he brought handfomelie in, the purpose of the Churche Articles, and, amongst other reasons, proponed the acknowledgement conteaned in the first Confession of Faith, made after the Reformation. ratified by act of parlement 1567, acknowledging that churche discipline and rites, could not be perpetuallie vncheangeable, but wer, vpon good confiderations, alterable, and fo being indifferent, and the articles now introduced being lawfull and expedient, needed no other warrant but the judgement of oure king, fo religious, wife, learned, and just, as the world had not feene his equall. After him, fpake youre maiefties commissionar, of the charge imposed by youre maiestic vpon him, his sense of his own infufficiencie, and neceffitie of his obedience, regrateing that he could not

wourthelie relate your royall directions, with fuch grace as might proue aunfwerable to the expression of your love of this people, whiche wes the only reason of his imployment. That the parlement wes indicted at the earnest requiste of the nobilitie and counfell, the iust causes of your maiefties defire of fupplie notour to the world, not for any ambition vpon your part to encrease the power of your fone in law or his children with other mens eftates; that warre being begune by the people of Bohem, impatient of the heavie yoke imposed vpon their persones and confciences, and their fubtile and inftant introductions of your maiefties foune in law to vndertake their protection, more rashelie nor your maiestie either knew, or, after knowledge, allowed; but the progresse of the vsuall accidents of warre having broght vpon him difadvantages and loffes, whiche, not being remedied, wold tend to his eternall ruine and disherifing of your grandchildren, your maiestie wes forced to contribute greate fowmes for his defence, and of intention to menteane a continowell warre, but to avert his vtter overthrow, till, by your royall care and wifdome, yee might, by mediation and treaty, procure peace and reftitution of his patrimonie, wherein the charges of your ambaffadouris, ordinarie and extraordinarie, fent to the most part of the princes and estates of Christendome, wer fo greate as could not be duelic confidered by fuch as wer not privie to matters of fuch confequence, not communicable to the vulgar forte, and whill, as your maiestie wes in good hope of setling that greate warre, yee wer draune vnder new troubles and charges by the warres of the Voltalin, France, and the Low Cuntries, whereof no fetling could be expected but by your maieftie, whom God had indewed with fo extraordinar wifdome. graces, and authoritie, that the Christien world acknowledged yow alone for arbiter of their controverfies; that the manifest danger of religion in all the parts of Christendome did more neirlie touch your religious hairt nor the interest of your children, seing the world knew that in the matching of your doghter (matchleffe for vertue), your maieftie, vpon confideration of the frailetic of mans life, albeit that your deare fonne then promifed that whiche God hath fince performed in him, by ftrenth of bodie, happines of health, and accomplishement of all princelic vertues, yet desiring, that yf God fhould appoynte him to die without iffue of his bodie (whiche

God defend), the world might fie that your maiestie did not so much affect the honour of more eminent, powerfull, and wealthie alliance, by hir with papifts, who, not feeking money with her, wald, as it wer, haue brybed your maieftie, with infinite treafor, to have granted to them the honour of your royall alliance, yee, out of meere zeale to religion, had, as it wer, entailed your pofferitie to the protection of religion by hir mariage with ane excellent prince of our profession. Therafter he expressed the zeale and forwardnes of oure neighbour cuntrie at full, and speciallie of the Londoners, who had forbiddin feafling, when your maiefties grandchildren wold haue beene compelled to fafte, yf your naturell and religious bountie had not royallie furnished them all princelie charges, and therefore exhorted the eftates, to increase the quantitie of their wointed contributions, according to the importance of the prefent effate of affaires, rather to ftirr vp oure neighbowrs by expression of their affection, nor the value of the fumme, affuring them, in your maiefties name, that yf they thould at this tyme behaue themselues thankfullie and wourthelie, your maiestic meant not hereafter to trouble them with furnishing more monyes. Last, he recommendit the affaires of the churche, and that they would therein remember the bypaft proofes of your excellent knowledge, greate care and trauells for menteaning and promoting religion; the publict teftimonies of your admired workes, reverenced by the learnedeft of the world, the malice of the aduerfares preaffing to procure your death (whiche God auert), as the heighest of their hopes and defires, for prevailing against all the profesiours of the truth. He roughlie inveyed against those, who treafonable felandered your maieftie with intention to introduce all Englifhe ceremonies, but speciallie against those, who spoke of papistrie or libertie of confcience, affuring them, that yf they wold abey and confirme the actes already made, your maiestic wald neuer intend any future alteration. He enlarged thir grounds in fo good termes, as all the effates acknowledged, how well he had proffited vnder the hands of the beft maifter in the world. The publict fpeaches wer concluded by my Lord Chauncellar, whose description of the dignitie of a parlement, and honor of the particulare eftates and members therof, in fo heigh ftile and learned

fubftance, as did exceede the capacitie of many of the vulgar auditors: he closed with a pithie exhortation for the contribution and churche af-Therafter the Lordis of Articles wer chofen with fuch dexteritie, that no man wes elected (one onlie excepted), but those who, by a prinat rolle, wer felected as best affected to your maiesties service. A proposition wes made, conteaning a noveltie annent meiting of all the nobilitie, after the articles wer concluded, to fitt and confider of them before they wer ratified by publict parlement, whiche wes fo dexterouslie vfed, as I hope no harme shall ensue. I had almost forgottin that your maieftie having iuftlie blamed my errours in the first draught I fent of a letter to have beene fent by your maieftie to the eftates, and being pleafed to declare that yee wald cause reforme it and send it downe, when I perceived that it had not been remimbred, and that tyme wold not permitte to flay till it might be required and had, I rather tooke boldnes to adventer to prefent that whairof I fend herewith the copie, authorifed by warrant entrufted by your maieflie to your commissionare, nor that the parlement should either deferte or delay too long. Yf it pleafe God to make me fo happie as that my coniectural ftile be no more offensive to your maieftie nor it was to the eftates, and that your maieftie may be pleafed to fend me an warrant in wret, pardoning that whiche I wes forced to adventer for the good of your fervice, I shall humblie thank his heauenlie Maiestie, and alwife beseeche him to graunt your maiestie all the bliffings that your royall hart, and the hartie affections of your faithfull people beg to yow at his bountifull hands, and reft

Your Maiesties humblest and most oblished of all your faithfull feruants,

Melros

Edinburgh, 26 July 1621.

To the Kingis most facred Maiestie.

CCXLIL...KING JAMES VI. TO THE PARLIAMENT OF SCOTLAND

Right reverend fathers in God, right truftie and welbeloued cofens and counfellours, right truftie and welbeloued cofens, and remanent our officers of eftate, and commissioners for the small barones and borrowes of that our kingdome, conveened in our parlement thereof, We greet vow heartelie well. Albeit our inceffant care to procure and menteane the peace of Christendome, moued ws long to forbeare to give affistance to oure fone in law for defence of the Palitinat, his native patrimonie, and birthright of our grand children, till the vnbridled violence and obstinat malice of the uniust inuaders, and the bands imposed vpon ws by God and nature, hes at laft forced ws, for fafetie of religion, keeping faith and dutie to our confederates, and confirming our fame and reputation vnfpotted in the opinion of all vnpartiall nations, to refolue to fecure, by just armes, that, which no freindlie entreatie or reason could effect. Yet when we began to meditat of the prouisions requisit for that royall interprife, we confidered that the meanes and wealth of that our native and ever beloved kingdome, ar als far inferiour to the flore of other cuntries as their royall affections to ws, and our most royall progenitours, hes equaled, if not exceeded, the zeale of any nation of the Chriftian world, famous for heartie love and obedience to their natural princes, and therfore we abfteaned to require aide of any of yow to that chargeable diffein, till first we had essaied our good subjects of this kingdome, and, by tryall, found the alacritie of their affection and liberalitie beyond our hopes and motions, wherby we wer therefter induced to write to our nobilitie and counfell there, to let ws know, what voluntar fupplie might be expected from them, not fo much for the importance of the fowme, as to manifeste to all our people that we meant not to furcharge any one nation or eftate, and to grant vnequall immunitie to others, but to approue youre zeale to your fellow fubicets, according to your power. But

finding fince, by the anfuers returned from our nobilitie and counfell, by their letters and humble meffage, that the course of contribution would be a hinderance to a better and more vniuerfall pourpofe of generall taxation, the reafons propofed by them, and affurances given by thair letters, that they would do aboue the vttermost of thair powers for encourageing the other eftates, by their exemples and reasons, to do the like, without exemption or immunitie to any, at this more nor necessarie occasion, hes fo well pleafed ws as we have yeelded to their defire of a parlement; and for that effect having affembled yow all, we are to informe yow, that no care, trauell, expence, diligence, or other meane of lawfull treatie, wes omitted by ws for pacificing the querrell of the Palatinat, wherin the effects not ansuering our laborious endeuours, and equitable intentions, the conjoyned interest of religion, state, and dutie, hes constrained ws to embrace our fonne in lawes protection, with the approbation of all iuft, wife, and indifferent princes and estates in Europe, who acknowledge, vpon our part, bellum justum esse quia necessarium: And vnles we fould appeir deficient in our duties to God, religion, nature, and to our owne bouelles and faithfull confederates, we can no longer forbeare to interprife the recouerie of the patrimonie of our grandchildren, vniustlie vsurped by their ravenous and merciles ennemies, which can not be profecuted without moneyes, the true finewes of warre, nor can fufficient ftore of moneyes be had for menteaning that monfter of warre (which keepes no dvet, but is both at first frammed, and without intermission must still be fed and susteaned by the bellie), without the liberall subuention of our fubicets, louers of their king, cuntrie, and religion. hes ever been reproched to that our kingdome, but well refuted, that is, vitium soli non gentis; and we know that the foile hes not in our aige furnished fewar meanes of trade and inbringing moneyes, nor this and the immediatlie preceeding yeir, which will difproportion your abilitie from your wifnes and good wils. But when we fall remember how God hes made we his immediat instrument to fecure your lines and estates, from the perfonall butcheris viuall in your deadlie feedes, the thiftes, fpulyies, reifes, fyre raifings, blak males, ranfomes, and all fortes of other extortions and oppressions, committed or exacted by the Hielandmen,

Bordourars, and others petie tyrants, befides the exorbitant charges for menteaning your hereditarie and almost immortall querrells, your immunitie from your vfuall vexations, and rondes for fetling the Bordours, Hielands, and Ifles, and for conferuing peace with your nighbour kingdome, and establishing vniuerfall peace and justice, at our exorbitant charges, we ar affured ye will now, at this necessarie and extraordinarie occasion, schow your thankfulnesse, and retribute a competent proportion of that whole, which in effect ye have received of ws, and which, fince our accepting the gouernement on our owne perfon, ye would have efteemed to have been profitable conquifled at the price of the greatest part of your whole vaillant. Neither do we think that ye haue forgotten, that, efter a fort of commendable ambition, ye preaffed to have our dearest doghter styled the doughter of Scotland when fcho wes maried; and if ye weigh things rightlie, we and ye owe infinit thanks to God, who by that worthie doghter hes granted to ws fix children, who by the like reafon may be challenged to be the grand children of Scotland, four of them being fonnes, and two doghters, fo hopefull, as no royall familie in Europe hes participat the like bleffing by fo young parentis, whereby it hes pleafed God more ftronglie to underprop our fcepter, nor that of our forebears, in many bypast ages, befides the exfectation of the continouance and encrease of that high fauour, if with humble and heartie thanks we fall wourthelie acknowledge how much we have alreadie received. Thefe, and manie other necessarie pourpofes, we intended to have more amplie intimated to yow, by our oune mouth, your faithfull obedience and respect to ws, and your civile and kynd vfage of the noblemen and all other fubiccts of this kingdome, of whatfoeuer qualitie, who did attend ws in our last journay to Scotland, having produced effects of fo great contentment to ws, and, by their report, to all this nation, as our fanour to yow wes thereby confirmed and (if it could have received addition) encreafed, and fince that time hes foftered in our heart an earnest defire, without regaird to our panes in that long progreffe, to have feen yow this fommer. But the bands of wonted peace ar fo fearfullie fchaken in Christendome, and our interest in the affaires of the Palatinat, fo important and prefling, that without hinderance of maters of hieft moment, we can not withdraw our prefence

from this place, of best opportunite for all fuddane occasions, and speedie refolutions and directions; but we intend to remeed that by our refort thether next fommer, God willing; and in the meantime, expect vndoutedlie, that ye will let the worlde fie, that our absence from your meeting is no lat to your ftraining your felfis to your vttermost abilitie, for readie help of this godlie and good caufe of the Palatinat, and that ye will confider that your contribution for it, can not be mefured by the reule or rate of preceding taxations, granted reither for respects of magnificence, and fchew in folemnities of mariages, baptimes, negociations, or payment of cuntrie debtes, nor for any fuch inevitable necessitie as the estate of warre, of religion, and recouerie of the patrimonie of our grand children, does now impose vpon yow and ws; but that, according to the condicion of the time and action, ye will liberallie and readelie extend your best helpis without protraction, which, by linguaring, might exceedinglie difapoint the effects of your good intentions, and our most important projects. We meane not to imploy any part of your beneuolence to any other vie; bot knowing that great numbers of our fubicets there, als abundantlie endewed with zeale and courage as they ar deftitute of wealth, affecte, by their personal feruice, to redresse their want of meanes for large contribution, we refolue to beflow that which ye furnish, with much more of our owne, for leueing forces in that kingdome, to ferue in this good caus. All other maters concerning ws, or the good of our fubiects of that our kingdome, will, by our direction, be imparted to yow be our commissioner, and by our chancelar, and other officers having our warrand to that effect, who will also, in our name, confent to any good ouuerture which fall be proponed for the publik benefite of that flate, to which, and euerie one of yow, our faithfull and obedient fubiects, we wish, and, with our wonted care, fall studie to purchace all happinesse.*

[26 July 1621?]

To the right reuerend fathers in God, and to our truftie and welbeloued

^{*} This letter, which appears to be the original draught, is holograph of the Earl of Melros-

cofens and confellours, and others, our right truftie and welbeloued cofens, and remanent our officers of eftate and commissioners for the fmall barones and borrowes of our kingdome of Scotland, conveened in our parlement therof.

CCXLIII.-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

Wearines, and fome pane in my eye, forced me to vie my brothers hand in the letters I wrote vefterday, of that had then paft in maters concerning the parlement. Therefter, the Lords of Articles met, and efter reading your maieflies letter to the parlement, and the other two which the convention of the nobilitie and counfell fent this winter to your maiestie; the taxation wes motioned by your commissioner, with so ample and judicious expression of your maiesties infinit charges, furnished to the enterteanement of the forces of the princes of the Vnion, verie long, and of the armie commanded by Generall Vere, befide your nauie at fea, and the charges of your children and grand childrens mentenance, which enforced vndenyable necessitie of supplie; they had onlie reason to confider what difference wes in the causes and nature of this present action (the event wherof may, in worldlie appeirance, import the preferuation or ouerthrow of religion in all Europe, and the vphold or perpetuall ruine of that most auncient, famous, and princelie estate of the Palatinat), and thefe of former times. This proposition, ftrengthened by many reafons pertinentlie alledged by the Lord Chancelar, Mar, and others, faithfullie disposed to the good of the pourpose, efter long and modest reasoning, produced ane vniforme resolution, that a taxation behoued to be granted. The nixt question being of the quantitie, my lord of Santandrois alledged a precedent of King Dauids ranfom, amounting

to thrie hundreth thousand merkis, or, as others write, an hundreth thousand merkis, as likwayes of the fowmes payed for King James the First his redemption, which, confidered according to the fcarcetie of moneyis in that aige, and abundance therof in all the world at this time, might informe ws how great a fowme wes now requifit, for the reafons proponed by my Lord Commissioner. Then my Lord of Scones opinion being demanded, he roundlie told, that he had his honor, eftate, and whole fortunes of your maiestie, and would bestow them and his life in your maiesties feruice, thinking ten hundreth thousand merkis a competent fowme, wherof he would readelie pay his part, and what farder your maieftie pleafed to command. That fumme being thoght exorbitant, I anfuered, that my lord of Santandrois true exemples imported much more; becaufe an hundreth thoufand merkis, in King Dauids dayes, wes an hundreth thousand merkis weght of filuer, wherof euerie merk weght being eight vnces of filuer, would amount, at thrie pund the vnce, as it now giues, to foure and tuentie hundreth thousand punds. In end, it wes concluded, that where the greatest taxation that euer wes before wes four hundreth thousand merkis, payed in source yeeres, there sould now be given foure hundreth thousand pundis, in thrie yeeres; for it is appoynted to be payed at foure Mertimes termes, wherof the first will be Mertimes next, and fo be compleit at that time thrie yeeres. The lords thoght it more fit that the act fould be conceived in thir termes, that the pound land holden of your maiestie fould pay threttie schillings yeerlie, and the kirk landis, and teinds, and bourrowes, the like proportion; which, in effect, is four hundreth thousand pundis, nor that the expression of the fumme fould informe the world of the fmalnefle of our meanes, when they ar racked to extremitie.

The next article wes anent the taxation of anvelrents, wherin the noueltie bred difficultie, and the interest the commissioners of burrowes, and others, strict opposition. But because I knew much of their estate, and of the nature of that course which my felf, amongs others, have long exercised with benefit, I preassed to detect the secret of their pretextes; and efter great altercation, reither then reasoning, it was concluded that

all anvelrents fould pay taxt, without immunitie of any effate or perfon. The meanes of tryel, quantitie, and termes of payment, reft to be confidered. The good fuccesse of what hes past, makes us to hope for the like in that which restis concerning the Churche Articles. I pray God 1 may have speedie occasion to fend your maiestic contented advertisement therof, and that he may be pleased to blesse and long preserve your facred person, and prosper your affaires. I rest

Your Maiesties most humble, faithfull, and bund feruant and subject,

MELROS.

Edinburgh, 27 July [1621?]

To the Kings most facred Maiestie.

CCXLIV .- EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

My letters of the 26 and 27 of July, have informed your maieftie of things done at that time in parlement. Therefter the Church Articles wer allowed by the Lords of Articles with good vniformitie. Since that time, ther hes not arrifin any great controverfie in the house for maters of moment; the articles proponed, either being found profitable for the cuntrie, or, if they concerned particular parties, they wer laufullic concluded, efter hearing of the parties interested. Onelie the taxation of the anvelrents hes been much impugned by the burgessis and some small barons, vpon pretexte of the harme which they may suffer in their credit, if their debtis fall be vnnecessarile discovered, who have been answered with cleer

and just reasons; but they still persist in their opposition, albeit with more modeftie then others, who not being of the articles, and having craued permiffion to conveen, to prepair motions to be proposed to the articles, have converted the favour obteaned vpon that specious pretexte, to a meeting of noblemen and barons, who ar reported to have dealt fo paffionatlie aganis the confirmation of the church articles, and the taxation of anyelrents, that your maiefties commissioner wes forced to discharge the abufed libertie of their affembling, and, fince that time, hes been forced to take fo continual trauell to diffolue their combination, and, by the affiftance of all his freinds dulie affected to your maiefties feruice, to convert them to their dutie, as hes permitted fmall time of reft or fleep to him. He inclyned to have caufed punish some of the most avowedlie malicious; but the errour being almost popular, he wes counfelled to forbear offenfiue rigour, and to studie to calme and reclame them by more mylde meanes, and is in hope to prevaile fo with a nomber of them, that they fall either flay and concur in your maiefties feruice, or abfente them felues, and fo do no harme. The reft who fall be found irrecouerablie malicious, will be made knowne to your maieftie, who may and can best judge of their merite. I can promife no farder as yet, bot good hope, with affurance of more paynes, patience, and wifdome in your maiefties commissioner, faithfullie affisted by some of your maiesties feruants, nor could have been believed. God, who hes ever directed your maiefties juste intentions to wished end, will ouercome the malice of this opposition, to your maiesties contentment, which I pray his heavenlie Maiestie long to grant in all your royall affaires, and rest

Your Maiesties most humble and bund feruant,

MELROS.

Edinburgh, 2 August [1621?]

To the Kingis most facred Maiestie.

CCXLV .- EARL OF MELROS TO KING JAMES VI.

Most Sacred Souerane,

HAVING wretin my other letter vpon the fecond of August in the morning, this is to rander your maieftie accompt of what is fenfyne done in Articles. That day your commissioner, at fyue a clok in the morning, began his confultation with the Archbifchop of Santandrois, Lord Carnegie, Clerk of Regifter, Deane of Winchester, and me, by what freinds meanes he might either reconquer the opposites who had vote in parlement, or perfuade or compell them by lawfull order to be abfent; and according to our joynt opinions, put all his freinds to work where their credit might best prevaile, and then entred to the articles at ten a clok, and remaining till eight at night, dispatched so manie affaires, just of themselues, and gracious to the people, as ferued for powerfull inducements to divers of each eftate to favour his defires for your majefties feruice. We ar in good hope to obteane the Church Articles ratified with the ordinar taxation. Our greatest dowt is of the taxation of anyelrents, which manie abhorre as a noueltie, and a difcouerie of their miferie, and ouerthrow of their credit. For preuenting of which diffurbance, vpon the fecond at night, a meeting of the articles wes appointed to be vpon the thrid, at feuin in the morning, to confider of the best expedient, inclyning reither to difpenfe with the extremitie, that thereby we may obteane a preparative of ane aide, wanting all preceiding exemple, and a diversion of opposition to the Church Articles (which we thinke more important nor the ods of a trifle of that fubfidie), nor by infifting upon a verie fmall difference in a money mater, to trouble or ouerthrow a better bufines. What fall be refolued fall be fpeedelie fubioyned to thir lynes.

Since the wryting of what precedes, the Lords of Articles have this morning met and peaceablic concluded. Extreame diligence will be yied to fet all men right. The event must be remitted to God, in whoes af-

fiftance we confide, and befeech him to bleffe this bufines, and all your royall defires, and reft

Your Maiesties most humble, faithfull, and obedient fubicet and feruant.

Melros.

Edinburgh, 3 August 1621.

Your Maiefties commissioner expects that his diligence in well doing will excuse his not wryting, which is alwayes naturell to him, and now necessar.

CCXLVI .- EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

Your maiefties parlement of this your kingdome is this efternone happelie concluded. The church actes had opposition, but the well affected prevailed by fevin and tuentie votes, albeit we wer exceedinglie disapoynted by the treacherie of some small borrowes, who violated their promises, and wer recompensed by your Commissioners refusing to authorise their actes and ratifications. In the act of the taxation, at first their kythed some danger by the voices of lords who granted the ordinar taxation, and refused the taxation of anvelrents; but my Lord Commissioner preassing them to give answere directlie, that they either granted or refused the act of taxation, since it wes onlie one act, the rest became eschamed to refuse, so as the opposites to that act wer scarce ten, as the Clerk of Registers inclosed ticket will testisse. Other lawes and privat actes past without contradiction. The conclusion wes by a speach of your maiesties Commissioner, renewing the assume that active maiesties constant fauour

to this nation, your zeale to the defenfe of pure religion, your earnest defire to releeue your people of the burdings, to protect them from violence, to introduce all exemples and effects of pietie and juffice amongs them, to increase trade and commerce, and to exempt them from the greif of the panes of bypaft transgressions of statutes imposing pecuniall panes. Which, being a most acceptable fairewell to the whole estates, wes met with the heartie wifhes of all the people for your maiefties long and profperous lyfe. I must not forget the Commissioners scharp censure of fuch as had abused the toleration of privat meetings of the estates, with aduertifment that the like would not heerefter be fuffered. The particular accompt will be more amplie given by larger letters, and by the Deane of Winchester and Lord of Scone, who, fo foone as the articles for the church and taxation wer ended, they went to their horfe, and will relate all particulars, and eueric mans behauiour. I may trulie affirme theirs to have been exceeding faithfull and fordwart, and that your maiefties Commissioner, by his observing your excellent instructions, hes effected the wifnes of your faithfull feruants, and ouercome the bufie malice and fubtiltie of the aduerfars; which I must ascryue to the happines of your rovall courfes, fo well grounded vpon wifdome and iuftice, as they can not want fucceffe. I have thoght it would be more agreable to your maiestie to know this trueth abruptlie, nor ane more exact report more flowlie; and praying for the like prosperitie in all your royall affaires, I reft

Your Maiesties most humble and most obedient fubicest and feruand.

Melros.

Edinburgh, 4 August 1621.

To the Kings most facred Maiestie.

CCXLVII. EARL OF MELROS TO JAMES DOUGLAS.

LOVING FREIND,

I RECEIUED your packet of the fecond, and deliuered his maiefties letters speedelie. I can not discerne wheter the Marquis of Hamilton be more carefull and diligent in action, or flow in wryting to his maieftie: for as I know that he hes caused feek the Lord Vchiltrie in this towne, and missing him, fend for him to Salton in great hafte, and in the meantime spak with the Lord Chancelar, Clerk of Register, and Aduocat, anent the commission directed by his maiestie, to be formed for tryall of his informations, and commanded the custumars to be readie to be examined at the Lord Ochiltries cuming heir, and lykwayes found, by examination of Sir Patrik Murray, that his father had made no conveyance of anie of his lands. So I suspect, that he may so neglect to write of thir things to his maiestie, that the persite report fall, by his slewth of writing, be delayed till his owne going to court.

The Chancelar caufed reade his maiefties letter to the Counfell, anent the Earle of Cathnes, and called before them Robert Monro, who infifts in the perfute for his brother Lindfayes flaughter, with whoes confent, Maifter Thomas Hope, who deales for the Earle of Cathnes, wes called, and to him wes intimated, that vales the Earle fould find fufficient caution, for his compeirance before the 18 of September next, the commission fould be directed with all rigour; but if he found caution, he fould haue protection for all other causes, ciuill and criminall, whill he had abiddin his tryall of that flaughter. For John Auchmouties complanit, Maister Williame Chalmers, his freind and agent, wes called before the Counfel, to haue giuen information to the Aduocat, who, excusing him felf, and defiring that it might be required of Maister Auchmouties ladie, he wes

commanded to receive his information, and give it to his Maietties Aduocat, that letters might be raifed to the next meeting of the Counfell, which is appointed the 29 of this moneth.

John Stewart hes requeafted me to pray yow to caufe fignifie to his maieftie, that he is agried with the Counteffe, of him wheirin he hes choifin reither to take loffe, nor to be vnneceffarlie troublefome to his maieftie. If it fall pleafe God, that the continowance of that happie quyetnes, which we inioy by his gracious gouernement, fall deny ws fubieet of wryting this vacance, I hope my vnfrequent wryting, or not wryting at all, fall be excufed. The commission aganis Alane Makildowie is exped to the Lord Gordon. So, wishing yow all happines, I reft

Your affured freind.

Melros.

Edinburgh, 8 August 1621.

To my verie affured freind James Douglas, attending his Maieftie for difpatche of Scottis Affaires.

CUXLVIIL-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

In the roll of the juftice of peace of the flirefdome of Selkirk, laitlie fend up to youre maieftie, youre maieftie has bene pleafit to defigning and point out the Goodeman of Harden, to be fahireff of that fahirefdome for the yeir to come; and he being writtin for to competition.

and accept the office vpoun him, he, inrefpect of his aige, infirmitie, and feiknes, compeirit be his eldeft fone, who excufit his fader as being altogidder vnmeete and vnhable for that charge; first, be ressound of his aige and feiknes, he being past laxij yeires of aige; nixt, becaus he can nouther write nor reid; and last, because he is not a resident within that therisdome, bot hes his residence and duelling in Teviotdaill. This being ressons fufficient to exeme him frome that charge, we haif heirwith send vp vnto youre maiestie, the roll of the justices of peace of the faid schiresdome, to the effect youre maiestie may mak choise of some other personne to be schirest.

Thair was a petitioun this day exhibite vnto youre maiefteis Counfaill, in name of Maifter Alexander Simfoun and Maifter Andro Duncane, minifteris, who, the tyme of the laite parliament, wer fend prifonnaris to the caftell of Dunbartane, excufeing thame felffis anent the caufs quhairfoir thay wer committit, and humelia craving thair libertie, inrefpect of thair pouirtie and want of meanes to interteny thame felffis. And althought thay ar knowne to be bot poore men, yitt the Counfaill wald nowayes medle with thair libertie without youre maiefteis directioun and allowance. And quheneuir your maieftie falbe pleafed to gif fignificatioun of your will and pleafour towards thame, ordour falbe tane with thame accordinglie. And fo, praying the Almightie God to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiesteis most humble and obedient fubicatis and feruitouris,

AL. CANCELLS. MELROS. W. OLIPHANT.

Edinburgh, 29 August 1621.

To the King his most facred and excellent Maiestie.

CCXLIX .-- EARL OF MELROS TO JOHN MURRAY.

SIR.

The notorietic of your kind refpect to fuch requeats as I have formerlic made to yow, makes my freinds, who have to do inftant with me, to recommend them to yow, and my dutie to them, permits me not to refuse it. I can not interceed for a kinder man nor the bearer heirof, my cofen, Sir John Scot, whoes laufull affaires I will pray yow to affift, and will affure yow, ye can not oble a more thankfull man. So, withing yow all happinesse, I reft

Your euer obedient freind,

MELROS.

Edinburgh, 3 October [1621?]

To the right wourfchipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

CCL-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

That wes a petitioun exhibite this day to your maiefters counfaill, in the name of Maister Robert Bruce, minister, humblie craueing releif from his present warde, for the ressons specified in his petitioun; quhilkis, in effect, ar the same that he delyuerit be way of answer the last

day, quhen he wes broght befoir the counfell, and wardit for transcending the limites of his confyneing. And becaus the mater for quhilk he is wardit concernis youre maiesteis felf, as ane offence and contempt done be him in breking of his warde without a warrand, the counfaill wald noway medle with his enlargement and releif, without youre maiesteis directioun and allowance, bot hes heirwith fend vp his petitioun vnto your maiestei, that, after consideratioun thairof, youre maiestei may gif suche directioun thairanent as youre maiestei fall think goode; and vpoun the returne of your maiesteis will and pleasour towards him, ordour salbe tane accordinglie. And so, praying the Almightie God to blisse youre maiestei with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedvent subjects and feruitouris,

AL. CANCELLS.
MELROS.
W. OLIPHANT.

Edinburgh, 10 October 1621.

To the King his most facred and excellent Maiestie.

CCLI-THE EARL OF MELROS TO JOHN MURRAY.

SIR.

Since my wryting to yow upon the 19, I haue received yours of the 15 and 22 of this moneth. For an uer to both, pleafe yow know that the counfell hes tryed the mater betuix Robert Makbrare and John Corfan, and found that a tumult being begun wher John Corfane wes, in gret paffion; Robert hearing the fray, returned to pacific it, bot that in an throng, vpon fuddantie and miftaking the harme, wes done to the parties on all fydes, which, praifed be God, is not great. It appears that fome offenfiue wourds, vttered not long before, had bred fome vnkyndnes amongs them; and John Corfan hes bene found not to have proceeded fo dewtifullie in his office as became him, and, partlie for that refpect, and partlie for Roberts fatiffaction, he is committed to warde, bot will not be long deteaned. Treulie he hes not borne that refpect to Robert which became him. It kythes that the towne of Drumfreis cairies their olde refpect to the name of Maxuell, and that they affect the towne, and will be readie to protect them.

Before I received yours of the 22, I had one from my Lord Maxuell, declairing, in few wourds, that he meaned not to quyte to yow the lands in queftion; and, having referred credit to his bearer, he declared, that if your owine money, given for thefe lands, might be accepted, that their might be hope of appoyntment, with excufe of his refufing to refer the mater to me.

Where vee defire to know what speaches passed betuix the Lord Maxuell and me in that mater, I remember not of anie particular, bot what I wrait to vow, from tyme to tyme, nor of anie conference with anie other theranent, except with my Lord Sanguhar and Maifter Thomas Hope; bot fufpe&t that the Lord Maxuell hes lyked the worfe of my melling, because I did not approue the long delayes of production of his writtis, which he pretended he could not find, and that he had no hope, vales he recovered them fra the Erle of Dumbars doghter, or Sir George Home, who wer found, in end, to have few that could ferue him, fo far as I could learne, and wrait to vow; and when I told that the manie delayes wald force vow to perfew for improbation of his writtis, he faid he wald not offend at it, bot wold vie all the defences law could affourd. He wrytes to me, that I know how he has been yield in that mater; but if I wer fworne in it, I could not fay bot yee had both foght him, and abiddin his laifer verie freindlie, and that your felf wes disposed, and your freinds aduyfed yow, to do all that vee could to agrie the controuerfie, reither by mediation of freinds, if it could be, nor otherwayes; but I believe that he meanes that the lands being taken upon forfaltour by the Erle of Dumbar, that

he fould not have boght them. This is onlie my coniecture, because I can not conceiue what other complaint he has of your vsage. I know yee will not alter your intention to do reason in the busines, if he be disposed to accept it; and so wishes all your freinds. Maister Thomas Hopes opinion in that mater is fullelie fignified to yow by his owne letter.

My Lord Sanquhar wrait to me of his busines, which yee recommend. I fall do in it what I can in reason; and so, with my best wishes for happines in all your affaires, I rest

Your most affectionat freind to be commanded.

MELROS.

Edinburgh, 28 Oct. [1621?]

I delay the clofing of the packet, till I fie what may this day be done in your Irifh commiffion.

Their is none of your Irish witnessis yet come, but Lochinvar's sone, and so the examination will delay till we sie if others cum or no, where see fall know by the nixt packet.

To the right wourfchipfull John Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

CCLII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI

Most Sacred Souerane,

We reffauit your maiefteis lettre of the nyneteene of this inftant, by the whilk your maieftie hes bene gratiouslie pleasit to mak choife of ws, to haif the charge and directioun of your most weyghtie affairis occurring in this kingdome, quhairin, as with all submissive reuerence, we acknowled your maiesteis fauour, and the considence your maiestei repossest in oure fidelitie to go far beyond only wourthe that is in ws, and to be more then oure feruiceis can be able to deferve; so we salbe cairfull, by the vttermost of oure indevoiris, and in all loyall affectioun, to approve oure selfs answerable to your maiesteis hoipis and expectatioun, and by oure cair, diligence, and best resolutionis, to gif vnto your maiesteic contentment, in this charge concredite vnto ws.

At our meeting and conference vpoun this fubiect, thair come three other lettres frome your maieftie to oure handis of this fame dait; the first concerning the motioun maid vnto your maiestie, for supeseiding the executioun of the act of parliament maid aganis superfluous banquetting and apparrell, vpoun pretexte of the diminutioun of your maiesteis cuftomes; the fecund concerning the offer maid vnto your maieftie, on behalf of the toun of Edinburgh, for thair extraordinair taxatioun vpoun the annuelrentis: and the thrid and laft lettre towcheing the collectoris of this prefent taxatioun, quhairin your maieftie hes declairit your will, that it fall not be beftowed vpoun ony perfone, as a mater of benefeit or rewarde for feruice. Off the quhilkis three miffives, we remember that the first and secund hes beene alreddie in some soirt answerit; for your maiestie haueing, by two formair lettres of the 12 of October laft, recommendit vnto your counfell the confideration of thefe tua particulairis anent the banquetting and apparrell, it was vooun the first of this moneth confidderit in counfell, that the wyfeft fort of the whole fubiectis greeving vehementlie, at the vniuerfall harme proceiding of the fuperfluitie of bothe, and eirniftlie defiring the reftreant thairof, reffaued meruellous contentment quhen thay faw that article warranted by youre facred hand, whilk gaif libertie to the efteatis of parliament to aduyfe and refolue vpoun the most expedient redresse. Who having felected fome of the best experienced of euerie estate to considder of the particularis, thair opinioun wes fo hairtelie approued, bothe in articlis and publict parliament, that it was thought to be one of the most pourfull inducementis to procure fo free and hairtie confent to the grite fowme of the

ordinair taxatioun, and to gif way to the novaltie of the taxatioun of annuclrentis, thinking that the forbearance of wafte vfed of befoir vpoun fuperfluous apparrell and banqueting, fould inable the fubicetis to gif the more abundant supplee to your maiesteis affairis. And now, yf the priuat fute of couetous marcheantis, preferring thair iniuft gayne to the publict benefeit, fould, by importunitie or fals fuggestionis, procure the subject is to be defraudit of the effect of that courfe, whilk, by your maiefteis royall fauours, wes fetled for the cuntreyis goode, it might occasioun a grittar greif to the fubicctis, nor the pretendit interest of the trade, and of the customes formarlie payed to youre maiestie for goodis of that fort could countervale; fince no bipaft diligence of the cuftomaris and fearcheouris could impede the craft of the marcheantis concealing of these pasments of gold, filuer, and filk, and otheris fmall wairis of that kvnd, and by tryell of the custume reffaued for all these fortis of wairis, the sowme of youre maiefteis cuftume being fund by ws not to exceid the fowme of iim lib. Scottis, the commodity whilk is may be imported with the flok, whilk wes formarlie bestowed vpoun pasmentis and other suche marcheandice, will, in our opinioun, equall that quantitie of custume vsed to be payit for that, whilk is now prohibite; fo as we can foirfie no prejudice to your maiestie in allowance and executioun of the act of parliament, and rejecting the marcheantis partiall fute.

And towcheing the aggreement with the toun of Edinburgh, for thair taxatioun, that mater, vpoun the directioun of your maiefteis first lettre, wes fatled and putt to a pointe vpoun the 22 of this instant, and we haif aggreit with thame, for fourtie thowsand pundis in fatisfactioun of thair whole taxatioun, ordinair and extraordinair, to be payit at the foure termes of the taxatioun; towitt, ten thowsand pundis at euerie terme, quhilk sowne being conferrit with the ordinair taxatioun of the said burgh, extending to foure thowsand, sevin hundreth lxxxxj lib. termelie, will amount to more nor the double of the said ordinair, and will ansure in proportioun to a stok of aboue auchtene hundreth thousand merkis, whilk is more, nor in oure opinioun, wald haif come to light within the said burgh.

And towcheing your maiefteis laft lettre, for the collectorie of the taxatioun, your maieftie hes alreddy maid choife of the Erle of Mar for that

charge, whose patent is exped youre preuie feale, and he is to supplee that feruice freelie, without ony fee for his trauellis. The nominatioun of the vnder collectouris, who ar to be imployed to charge for the taxatioun, apperteyneth to the principall collectour, feeing he must be ansurable for thame, and he hes imployed nane, bot these that wer imployed in the preceding taxationis, and vpoun these fame conditionis and allowanceis, to witt, xijd of the pund; quhairof, yf, after consideration and heiring of the comptis, ony descasance falbe thought necessarily to be maid, and that ony superplus shall appeir to aryse, the same fall accresce vnto your maiestie; and we salbe verie circomespect and cairfull, that, at the making of the saidis comptis, no vnnecessarily idill, nor superstuous allowanceis salbe admittit.

This being the effect and fubftance of oure proceding is in thir three particularis, we humelic prefent the fame to youre maiefteis confideratioun, and will humelic befeeche your maieftei to accept the fame in goode pairt, as proceeding frome fuche ground is and warrand is as, in oure opinioun, tendis most to your maiesteis honnour and benefeit, and weele of the cuntrey. And so, praying the Almightie God to watche ouer youre facred persone, and to blisse your maiesteis reignn with the continewance of mony lang and happie yeiris, we rest for ever

Youre Maiefteis most humble and obedyent fubicctis and fernitouris,

AL. CANCELLS.
MELROS.
A. MAR.
SANCTANDREWS.
LAUDERDALL.

MORTON.
NITHISDAILL.
CARNEGY.
W. OLIPHANT.
GEORGE HAY.

Edinburgh, 29 Nouember 1621.

To the King his most facred and excellent Maiestie.

CCLIII ... THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

At an emeeting and conference whilk we had this day, anent youre maiesteis rentis, thair wes ane propositioun maid vnto ws, in name of the citie of Glafgu, that thay might be hard to mak ane offer for the taxatioun of the annuelrentis within that citie; and it is lyke aneugh that fome otheris townis, following the example of Edinburgh, will tak this fame courfe. In whilk pointe, becaus we had not commissioun nor warrand frome youre maiestie to deale, we forboore to medle thairwith, and we haif delayit the geving answer thairvnto, till we understand youre maiesteis awne will and pleafour thairanent, whilk we will humelie beseeke youre maiestie to returne vnto ws at youre maiesteis best oportunitie; and yf youre maiestie falbe pleased to allow of this course to be tane with Glafgu, and with fuche otheris townis as fall mak fuite for the lyke, we falbe verie circomespect and cairfull so to deale thairin as falbe most for youre maiesteis commoditie and proffeit. And fo, continewing oure humble and eirnist prayeris vnto God for youre maiesteis lang and happie reigne, we reft

Youre Maiesteis most humble and obedyent fubicetis and feruitouris,

AL. CANCELLS.
A. MAR.
NITHISDAILL.
MELROS.
LAUDERDAILL.

CARNEGY.
J. HAMILTON.
W. OLIPHANT.
GEORGE HAY.

Edinburgh, the fixt of December 1621.

To the King his most facred and excellent Maiestie.

CCLIV ... THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesteis lettre, with the petitioun preferrit vnto youre maiestie, be Robert Monteith of Eglishaw, towcheing the offer maid be him to your maiestie, for a leafe of your maiesteis rentis and cafualtyis of Orknay and Yetland, for fome certane veiris, and we haif lykewayes hard him felf, and hes conferrit with him youn this fubiect, wherby we perfaue that the refloun pretendit be him for making fuite, is groundit vpoun ane debt of fourty thowfand pundis, alledgeit awand to him be the laite Erle of Orknay, whilk he offeris to difcharge to youre maieftie, and with that to gif vnto your maieftie fourty thowfand merkis of free rent be yeir; wherin, althought fome showe of ressoun wald appeir for preferring of him to this fuite, yitt thair is findrie circomeftance concurring thairwith, and depending thairon, alfweele importing your maiefteis proffeit as the goode of the cuntrey, whilkis, being weele confiderit, will require a choife to be maid of fome other perfone. For first, respect must be had to the qualitie of the perfone that falbe preferrit, that no just exceptioun be tane aganis him be the cuntrie people, vpoun occasioun of ony jarris or difcontentmentis betuix thame, becaus he must be your maiesteis schireff and judge of the cuntrie, and in that respect wald be free of fuche quarellis and contrauerfes, that, vnder the fhadow of youre maiefteis auctoritie, he corrupt not judgement, nor abufe your maiefteis auctoritie to his awne privat endis; and of this point we knowe the faid Robert can not cleir him felf. And anent the debt acclamed be him, the natur of that debt, and vpoun quhat ground he hes buildit and fett vp this grite fowme, hes not bene examined be ws. It appeiris, be his difcourfe, that the most pairt hes growne vpoun ciuile actionis of spootyee, eiectioun, violent proffitis, and contrauentionis recouerit aganis the faid erle: and we ar in goode hoip that, after dew tryall and examinatioun of the particularis, we shall bring this masse of money to ane lower end. Sua, that, in oure opinioun, thair is no reafoun, vpoun pretext of this debt, to gif him

ony defalcatioun of your maiesteis dewitie, bot to remitt him to the course of law, wherin he may expect iuftice accordinglie. And yf your maieftie fall tak the payment of this debt vpoun yow, the example thairof will draw vpoun your maiestie the burdyne of ane infinite nomber of otheris debtis of this kynd, more dew to be payit nor his. The last point to be considderit is your maiesteis commoditie, quhairin thair is ane offer of fourtie fyve thousand merkis maid vnto ws, in name of Sir Johnne Buquhannane, whilk offer, conjoyned with the honnour and dispositioun of the man, who is knowne to be peaceablie difpofit, and weele loued in the cuntrey, and who wilbe affifted with the hairty wifhes of all the cuntrey people to haif him defignit for this place, makis ws rather inclyne to him nor the other; and the rather becaus he is refponfall, and offeris goode cautioun for veirlie payment of his dewitie, and to accept his tak with conditioun of clauffes irritant. Bot heirin fubmitting our felffis to your maiefteis awne pleafour, quhairunto we shall conforme our felffis; and, in the meantyme. qubill the returne thairof, whilk we humelie wishe to be so foone as your maiesteis more weyghtie adois will permitt, we fall not be negligent to draw this rent and dewitie, als far heighair as poffibillie we may. We prav God to watche ouer your facred persone, and to bliffe youre maiestie with mony lang and happie yeiris, and we reft for euer

Youre Maiefteis most humble and obedient fubicctis and feruitouris.

AL. CANCELL'.
MELROS.
A. MAR.
GEORGE HAY.
W. OLIPHANT.

Edinburgh, xij December 1621.

To the King his most facred and excellent Maiestie.

CCLV.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

THAIR was an figuatour vnder your maiesteis hand presented to be exped be ws, contening a gift of penfioun of three thowfand and fax hundreth pundis Scottis to the Lord Kinclevin, his airis, and affignayis, with freciall affiguatioun, to be pavit oute of your maiesteis rentis of Orknay and Zetland; whairin, althoght we acknowledge your maiesteis fauour and bontie to that nobilman, whilk we ar verie willing to furder, fo far as the credite and dewitie of oure placeis will allow; yitt, we mon crave permission humelie to prefent vnto youre maiestie oure simple opinionis concerning this fignatour in the forme and tennour as it is confaued and drawne vp. And first, it can not stand with forme nor ordour, nather can it be warrandit by custome or example, that pensionis falbe gifted indefinitlie without limit or terme, to airis and affignayis, and no precedent can be showne in the lyke caife, whairupoun ony warrand may be pretendit for this fignatour: nixt, it is not expedyent that affignationis falbe gevin oute of your maiefteis propirtie; and most vnfitt, for mony confiderationis, that your maiefleis propirtie of Orknay and Zetland falbe burdynnit that way, becaus the confequence and example thairof in the generall may produce mutche harme, and in proces of tyme will draw your maiefteis annext propirtie to a verie fmall accompt; and yf way falbe gevin vnto thame, your maiestie wilbe continuallie impeshed for grantis of that kynd, and your maiefteis whole propirtie, whairupoun the burdyne of the affairis and effate of this kingdome dependis, wilbe eatin vp, and vf onv intervening occafioun, importing your maieftie in honnour and credite, thall occur heir, all laughfull and ordinair meanis to advance the tame wilbe cutt of. And thairfoir, feeing youre maiestie is gratiouslie difposit to benefeit that nobilman with a pensioun, oure humble aduife vnto voure maiestie is, that he haif it to him felff for a limit and fett tyme,

to be payit oute of youre maiesteis rentis and casualtyis, without ony particulair affignation for his payment; and, in so doing, the ordour and natur of suche giftis wilbe preferuit, and the nobilman may expect als fauourable payment as the importance of your maiesteis weyghtie affairis will permitt. And so, humelie craving your maiesteis pardoun for this oure prefumptioun, being drawne thairinto for discharge of oure dewyteis in the credite and truist your maiestei reposits in ws, we pray God to blisse your maiesteie with a lang and happie reigne, and restis

Youre Maiesteis most humble and obedient fubiestis and feruitouris.

AL. CANCELLS.
MELROS.
A. MAR.
GEORGE HAY.
W. OLIPHANT.

Edinburgh, 13 December 1621.

To the King his most facred and excellent Maiestie.

CCLVL-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

We reflaued youre maiefteis lettre, by the whilk youre maiefteis hes recommendit vnto ws the tryeing and pvnisheing of fuche personis, who, contrarie to youre maiesteis lawis, hes transportit gold and filter furthe of this kingdome, by imposing of fynes and penalty youn thame, ansuerable to the natur and qualitie of thair offenses; quhilkis fynes youre maiestei, by the tennour of the said lettre, hes bestowit youn Sir George

Bruce, and hes ordanit ane fignatour to be exped to him thairupoun. As we acknowlege, with all deu respect, youre maiesteis fauouris to that gentleman, whose mony goode feruiceis done to youre maiestie, and whose generous difpositioun and constant resolutioun in the profequatioun and following oute of mony worthie and proffitable workis in this kingdome, hes deferued fome toikine of youre maiesties princelie rememberance, wherunto we falbe fo far affifting, as the credite and dewitie of oure placeis will allow; vitt, the truft that youre maieftie hes repoifed of youre affairis in ws, obliffes ws to foirfee youre maieftie with the inconvenientis that we find in the forme and nature of the fignatour, as it is generallie ordanit to be exped; not that we will thairby presoome to interrupt the courfe of voure maiesteis fauour to that gentleman, but that we may vindicat oure felffis frome the imputatioun of vndeutifull feruandis, in not oppofing aganis formes whilkis ar not allowable in youre maiefteis exchekquer. For it can not fland with the order of the exchekquer, that giftis or affignationis of youre maiefteis cafualtyis falbe paft in this kynd, feeing thairby not onlie will grite confusioun aryife in the office of thefaurarie, bot a way wilbe oppynnit to mony importune fuitaris to impeshe youre maiestie with thair petitionis of this kynd, and swa, in process of tyme, the office of thefaurarie wilbe fo rent and difmemberit, as it will become ane office onlie in name and showe, without mater or substance. We mon confes, that the transporte of moneyis hes beene, and is too frequent and commoun in this kingdome; but the fhiftis and fubtilityis of the marcheantis to fruftrat and disapoint the discouerye ar fa mony, and fo difficle to be obtain, as hardlie can the abuse be represt or pynist: And for remeid heirof, we ar to tak this courfe, that we will imploy the faid Sir George, and imploy his meanes and help for discouerie of the offendaris; and we ar in goode hoip that his cair and diligence, conjoyned with the expectatioun of gayne, falbe be ane grite furtherance and advancement of the buffynes, quhairin we fall fo far proceid aganis the delinquentis, bothe by imposing of fynes, and pynisheing of thame in thair perfonis, as the course of justice will allow; and quhat fall aryise to youre maiestie thairupoun, youre maiestie may dispoise vooun the same, in whole or in pairt, to the faid Sir George, as youre maieftie shall think goode. And quhairas it is liklie that fome townis will mak offer to compone in groffle for thair townis, without bringing of the offendaris to a publicate tryall, we wald humelie knowe youre maiefteis will and pleafour, yf we shall aggree with thame in this kynd; quhairof lookeing to be aduerteist be youre maieftei, how soone youre maiefteis more weyghtie affairis will permitt, we most humelie tak oure leeve, with oure eirnist prayers vnto God for the long continewance of youre maiefteis blissed reigne over ws, and we rest for ever

Youre Maiesteis most humble and obedyent fubiectis and feruitouris,

AL. CANCELLS. MELROS. A. MAR. GEORGE HAY. W. OLIPHANT.

Edinburgh, 20 December 1621.

To the King his most facred and excellent Maiestie.

CCLVII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Thair wes this day a petitioun gevin to youre maiefteis counfaill, be Maifter Robert Bruce, humelic craving fome eafe and releiff in that directioun, and charge gevin to him for his confyneing within the burgh of Inuernes, in refpect of the indifpolitioun and inhabilitie of his perfone, and of his grit aige and infirmiteis, quhilkis are incident to aige, quhairwith, as he alledgeis, he is fo far worne, and become fo feeble and waik, as hardlie may he travell ony quhair; and he offeris to be confynned in his awne house, and twa myllis aboute the fame, and never to transcend the boundis thairof, without youre maiesteis warrand, as more particularlie

voure maiettie will perfave, be his petitioun, whilk we haif heirwith fend vnto voure maiestie. Bot becaus the directioun and warrand for his confyneing in Inuernes, proceidit frome youre maieflie, we wald not prefoome to medle thairwith, without youre maiefteis allowance. Onlie this far, we ar to showe vnto youre maiestie, that, be the sight we had of him these twa dayis he wes broght befoir the counfell, we knowe him to be a far decayed and worne man, not able, by probable coniectour and appeirance, to live lang; and we ar credibillic informed that his worldlic eftate is verie waik, althoght he hes concealed the fame in his petitioun, and that he hes nane of his awne to tak the charge thairof; fwa that his confyneing fo far frome his awne house, and frome attendance on his awne affairis, will altogidder vndoe him. We write not this as ane motive and argument to pleade for fauour vnto him, bot onlie to latt youre maiestie knowe quhat we apprehend anent the difpositioun of his persone, and quhat we heir anent his wardlie eftate and fortounis. Remitting the confideratioun, bothe of the one and the other, to youre maiefteis most pious, grave, and princelie refolutioun, whilk your maiestie wilbe pleased to caus be returnit vnto ws, quhen the importance of your maiefteis more weyghtie affairis may afford the occasioun. And so, with our vncessant prayeris vnto God for vour maiesties lang lyffe, happie reignne, and prosperous estate, we reft

Youre Maiesteis most humble and obedient fubicectis and feruitouris,

AL. CANCELLS. WEMIS.

MELROS. GEORGE HAY.

ABERDENE. W. OLIPHANT.

LAUDERDAILL. R. COKBURNE.

AL. ELPHINSTON. ARCHIBALD NAPER.

Edinburgh, 22 Januair 1622.

To the King his most facred and excellent Maiestie.

CCLVIII.-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

VNDERSTANDING, by my Lord Chancelar, that the Earle of Kellie, by his letter, had fignified to him, that it wes your royall pleafour, that I fould aduertife what order wes preferived for the timelie and convenient fearch of pearles in this kingdome, with the effects thairof. For obedience of your maiesties commandement, by the letter first fent to me for that pourpofe, I conferred with the Lord Chancelar and Aduocat, and by their aduice and concurrence, directed commissions to Sir Robert Gordon, and, in his abfence, to his brother Sir Alexander, for Sutherland; to the Lord of Kintail, for the waters in Rofs; and to Mr Patrik Maitland of Auchincreif, for the waters of Eythen, and others within the fchirefdome of Aberden: with power to Maifter Patrik Maitland to receive all the pearle that fould be found to youre maiefties vfe, geuing due fatiffaction to the takers therof. I have not hard of the effects of Sir Alexander Gordons diligence, but have of new remembred him, by letter, of your maiefties direction, and his owne dutie. I have fpoken with the Lord Kintail, in this towne, who fayes he has not hard of any pearle taken, fence his commission, in the waters of Rofs. Maister Patrik Maitland perfewed fome men of Aberdene, before the counfell, for thair vnlaufull buyeing of pearles, fince the proclamation; who compeiring, fome confeffed a finall quantitie of pearle of no valew, the reff, being fwome and examined, denied. Order wes taken with the contravenars, and they acted under great panes to absteane from that trade; and the proclamation commanded to be of new published, to reftraine the abuse of vnlaufull buyeing. I am informed that their are findrie other rivers in this kingdome where pearles ar found; as the water of Forth, the waters of Cart befide Paiflay, and fome waters in Galloway; but I heare not of any pearles of wourth found thairin, except verie rarelie. If it pleafe

your maieftie to make choice of any dwelling in those cuntries, to take charge of the rivers, commissions fall be given as they fall be directed. So, praying God long and graciouslie to preserve your maiestie, the pearle of kings, I rest

Your facred Maiesties most humble and faithfull fubicet and bund feruant,

MELROS.

Edinburgh, penult of Januar 1622.

The fchip of Oftend, which wes at Monrofs, hes been rencountred at fea be a waghter of the eftates, and fo miferablie beaten, that fcho wes to flie to Stanehyue, vnable to be repaired for vfe or feruice, as we heare.

Laft of Januar 1622.

To the Kings most facred Maiestie.

CCLIX....THE LORDS OF PRIVY COUNCIL TO KING JAMES VI

Most Sacred Souerane.

Haveing by oure formar lettre, of the last of Junij, presented vnto youre maiestie, oure opinioun, concerning the tua remissions signed be your maiestie, and desyrit to be exped be ws; the one in fauouris of Sir James M'Donald, and the other in fauouris of M'Rannald, with the resson moueing ws to superfied the passing of the same, till we fould understand forder of youre maiesteis pleasour thairanent: We knowe,

that the importance of youre maiefteis more weightie affairis, hes not offerit the occasioun vnto your maiestie, to returne vnto ws your ansuer thairanent; and now we understand, that M'Rannald is come to this cuntrey, leancing to a protectioun grantit be youre maieftie to him, vnder your hand and fignett, and without ony directioun or warrand for taking ordour with him anent his futur obedyence and quietnes; quhairin, althoght we will eshew to be curious, towcheing the particularis of youre maiesteis purpois in that mater, yitt the truste that youre maiestie hes repoifed of youre affairis in ws, obliffes ws, in dewtie and alledgeance, to prefent vnto youre maiestie oure simple opinionis, concerning that man, whose bipaft lyffe and conversatioun hes bene so lewde and violent in bloode, thift, reafe, and oppression, that to this hour he never randerit obedyence, and he wes not only the contryvair and plottair of the faid Sir James his efchaip and brek of warde, bot a principall actor in the rebellioun that followit thairupoun, the fupprefling quhairof wes fo chargeable vnto youre maiestie, and troublesome to the cuntrie; and we can expect no thing frome him in tyme comeing, but a conftant continewance in the villanyis, quhairin he hes bene broght vp, and hes fpent the reft of his vnhappie lyffe. And whereas now the whole Ilis and Continent nixt adiacent, ar in a maner reduceit to obedience, and no publict diffobedyence profeft, bot be Allane M'Eandny, fader in law to this manis eldeft fone, youre maieftic may confidder, how far others lymmaris, wickedlie difposit, and not yitt fullie satled in obedience, may be encourageit, vpoun the example of this man, and hop of impunitie, to offend: and yf be, with the other lymmair M'Eandny, fall joyne togidder, according to thair wounted maner, as appeirandlie thay will do, nomberis of infolent perfonis, who now lurkis, and ar quyet, will brek lowfe and follow thair fortounis, quhairvpoun griter difordour and vnquietnes will aryife, nor wilbe weele gottin fatled. The confideratioun quhairof, conjoyned with the example and confequence depending thairon, hes enforced ws, oute of that dewitie quhilk we owe vnto youre maieftic, most humelie and submiffiuelie, to flowe vnto youre maieflie, quhat we apprehend concerning this particulair, quhairin we haif no other refpect nor confideratioun, bot the peace and quietnes of the cuntrey. And yf voure maiestie salbe

pleafed to fend vnto ws, ony directioun concerning this man, we falbe cairfull to fee the fame execute accordinglie: And fo, praying the Almightie God to watche ouer youre facred perfone, and to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiesteis most humble and obedient subject is and feruitouris.

AL. CANCELLS.
MELROS.
A. MAR.
GEORGE HAY.

Halirudhous, xxi of Merche 1622.

To the King his most facred and excellent Maiestie.

CCLX .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI

MOST SACRED SOUERANE.

Whereas youre maieftie wes pleafit, tua yeiris fyne or thairby, to recommend vnto ws the fatling and remoueing, by ane amicable forme and maner, the deadlie feade ftanding betuix the Lairdis of Cultmalundie and Monyvaird, and thair freindis, vpoun occasioun of the flaughter of the Laird of Monyvaird, and to move the pairtie greeued, to accept of suche offeris, as the offendaris might reasonnablie performe; we accordinglie write for fa mony of the freindis, as we knew to haif cheif intereste in that mater, and vsed the best meanes we could, to haif broght the same to some freindlie dresse; bot that dyet being cassin of, vpoun alledgeance that some of the special freindis wer omittit and not writtin for, we appoint a new dyet, and write for the whole freindis that wer gevin vp, who returnit thair answer to we in write vnder thair handis, that thay

could not medle in that mater, nor tak burdyne for Monyvaird, who is the principall pairty haueand intereffe, in refpect of his minoritie: whairupoun the mater defertit, and we could go no forder thairin. At this fecund dvet, Cultmalundie, eldair, exhibite befoir ws offeris in write vnder his hand, maid to the pairtie, contening the fowme of ane thowfand crownes for the affythement of that flaughter, with the banishement of Alexander Bruce, his fone, and George Tyre, meffinger, who wer alledgeit to be the actuall flavaris of Monyvaird, during youre maiefteis pleafour; and at that fame tyme, we causit him gif satisfactious to Duncane Campbell and Dauid Malloche, who wer deadlie hurte guhen Monyvaird wes flayne, by payment making to thame of tua thousand pundis, quhairupoun thay haif gevin ane difcharge of thair intereffe in that mater, as the fame, produceit befoir ws, bearis. This feade hes altogidder vndone auld Cultmalundie, for his eftate is exhauftit and wrackit, and he is become verie waik of his judgement and understanding, by the greif that thir troublis hes broght vpoun him, whilkis wer the occasioun of his wyffis deathe, and of the exvle and banishement of his fones and freindes now be the space of source veiris; in the whilk exple, tua of his freindis, of goode rank and qualitie, hes depairtit this lyffe. This being the effect of our dealing in this buffynes, we haif beene intreated be the pairtie, humelie to prefent the fame to youre maiesteis confideratioun. And fo, continewing our vnceffant prayers vnto God for youre maiesteis lang and happie reigne, we rest

Your Maiesties most humble and obedient fubication and feruitouris,

AL. CANCELLS.
MELROS.
A. MAR.
GEORGE HAY.

Halirudhous, xxi of Marche 1622.

To the King his most facred and excellent Maiestie.

CCLXI.—THE NAMES OF THESE QUHA AR DECLAIRIT FUGITIUES FRA THE
JUSTICE COURT, HALDIN AT DRUMFREIS, THE XXI, XXIJ, AND XXIIJ
DAYES OF MAYE, 1622 YEIRIS.

James Johnstoun of Lochhous. Robert Grahame, his feruitour. James Douglas, his feruitour. James Johnstoun in Croftheids. James Johnstoun, called of Braikinfyde. Williame Achefoun of Powcornall. Jaffray Irwing of Robgill. Christopher Irwing, his foun. Alexander Irwing in Boydkin. Thomas Taggart in Chappellknow. Johne Irwing, alias Lyttill Boy, in Stapletoun. Gib Irwing, alias Gib of Langfyde. Margaret Armestrange, callit the Wairding. Thomas Armestrange, hir foune. Archbald Lyttle, fometyme at Quhytliefyde. Richat Irwing of Wodhous. Williame Makcaige in Porterfloun. Edwart Johnstoun in Siefeild. Geordie Armeftrange, callit Airchies Geordie.

THE NAMES OF THESE THAT PAST TO ANE ASSYSE AND CLENGIT.

Mathow Littill in Newlandis. Alexander and John Littillis, his founes. Willie Armeftrange, callit Pavunes Willie.

Williame Robfoun in Hoilhous.

Thomas Lyttell in Barkclaes.

Syme Armeftrange, callit Qwhythauche.

Hector Ellot in Rig.

George Colhart, feruitour to Jaffray Irwing.

Ritchie Irwing, callit Gawins Ritchie.

George and Williame Littlers, bretheren, in Wyfbie.

Johne Achefoune in Coryphen.

Thomas Lyttell in Dowglen.

THE NAMES OF THE PERSONIS CONVICT.

Johne Armestrange, called Bauld Jock, executt.

Adame Henrye in Logane, feruitour to Captane James Johnstoun of Lochhous, executt for thiftis committit ather with his maister, or be his directioun.

Gilbert and George Irwingis, bretheren, callit Quhytclocks, execuit.

Walter Littell in Bombie, execuit.

Thomas Moffat in Hietas, execut.

Adame Mairtene, foune to Robert Mairtene in Logane, convict for ane pair of doore bandis of iroun, and fome furlot of victuall, referueit without dome, till we be advyfeit with the Lordis of Counfall.

Thomas Warrik in Pottum, convict of tua nolt, perteyning to ane Ingliche man, quho wantit four: the nature of his convictioun being, that he, haueing put the faid nolt in graffing to ane other, the nolt challengit be the Inglifcheman into the other manis aucht, quho had thame in graffing, callit Archie Lyttell; Lyttell renderis the nolt to Warrick agane; and quhen the Inglifhman comes to fpeir for the gudes at Lyttle, quher he challengeit thame firft, Lyttill gois with him to Warrick, quho denyes the faid guides; fua the questioun standing debaittable betuixt the faid Lyttle and Warrick, both passing to ane affyse, Warrick being convict, we think hard to giue dome of lyfe vpoun him, sence it is not cleir, but be prefumptionis, that these was truclie the Inglishmanis guidis, quhilk he restaueit bak agane, or gaue for grassing to Lyttell; hes ordaneit him, of the red-

dieft of his gudes, to repaye the Inglishman his nolt; hes kept him in pryslloun, and continueit dome, till we be farther advyfeit with the Lordis of Counfall.

To the richt worshipfull my most respected and speciall gude freind, Maister Murraye of Lochmachene, one of his Majesteis Bedchalmer, These.

CCLXIL-EARL OF MELROS TO JOHN MURRAY.

Šir.

His maiefteis gracious respect to my humble sute for Maister Thomas Henderfon, after innumerable other preceeding great benefites. do fo far exceed my feruice, curie way defective but in fidelitie, that I can rander no thing therfor but my feruent prayers, which I daylie make to God, for his long and prosperous life and estate, and request vow to frie me from reproach of foule ingratitude, by prefenting to his maieftie most humble thanks, in my name, for that, and all other his infinit royall fauours to me. My former recommendations for the lords Carnegie and Durie fand grace in his maiefties eves, and their behauiour hes giuen, and I hope fall give, fuch contentment to his people, in thair charge, as fall procure from their heartes true praifes to his maiestie, and thanks to God for his care of juffice to be ministred to them. Maister Thomas Hendersons learning and carriage in the commissioniat, and faithfulnesse in his bypaft feruice to his maieftie, promifes continowance and encreafe of his honeft endeuours in this more eminent place,* wherin he fall have my best counsels and encouradgements. So, befeeching God to prolong

Sir Thomas Henderson was admitted a Lord of Session 6th June 1622, in place of Sir Lewis Craig.

his maiefties health and life, and accomplish his royall defires, I wish yow all happinesse, and rest

Your oblished freind to be commanded,

MELROS.

Edinburgh, 28 May [1622?]

To the right worshipfull John Murray of Lochmaben, one of his Maiesties Bedchamber, at Court.

CCLXIIL-EARL OF MELROS TO JOHN MURRAY.

SIR.

By my letters of the fixt, I declared the effate of youre owne affaires, and of my lord Chancelars fickeneffe, which God hes turned to the beft, and given fo good beginning to his health, as I hope letters, wretin with his owne hand, to the earle of Kellie, fall accumpanie this packet, and declare that his paine is ended, and no trouble remaines but weakeneffe efter a dangerous difeafe, albeit it hes beene of fhort continouance, praifed be God. I know his maieftie will be glade to heare from yow, that fo auncient and worthie a feruant is yet able to liue, and continow in his wonted good affection, to do his maieftie faithfull and profitable feruice. So, having no other fubic&t of writing at this time, I commit yow to God, and reft

Your oblished and euer obedient freind,

Melros.

Edinburgh, 10 June [1622?]

To the right worthipfull Maifter Murray of Lochmaben, one of his Maiefties Bedchamber, at Court.

CCLXIV .- EARL OF MELROS TO JOHN MURRAY.

SIR.

Before the packet go, I expect the Earle of Mars returns from Alloua, and then fall refolue and aduertife yow of your affaires with him, and returns your letter.

Drumlanrick, vfing caption aganis Wamphraes brother, foght concurrence of young Lag, as one of your deputes, who, offering his affiltance, fand no obedience. The howfe of Wamphra is belawed, and commission given by the counfell to Lag, to vse his maiesties autoritie; and for notitieing your power, and these whom ye have appointed, I have caused direct from the counsell, publication of your place in the commission, and names of these whom ye have deputed.

I wrote with regrait of my lord Chancelars dangerous fickeneffe, and therefter, by information of his feruants, wrote, by my laft, of better hope of his recouerie, wherof there is now fo litle appearance, in the judgement of his phifitions, as we have all conceived greif for the danger of his life, wherof ve fall know more before this letter close. By my first ypon this fubiect, we knew that I was fo farre from blind ambition, as I wished his maieftie might vinderftand by yow, how vinable I wes to fufteane the burding I will beare, during the vacancie of that place. I have ftrinen to difcharge that wherewith his maiestie wes graciouslie pleased to honor me, and will ftill endeuour my felf to continow fo long as God gineth me thrength; but the impofing of farder would ouerburding me, and therfore I humblie wifh, that, if my lord Chancelars difeafe ouercome him, vpon knowledge therof, his maieftie may make choice of any whom he, in his excellent wifdome, judges most fit for that great place, to whom I may give my faithfull and readie concurrence, and be exonered of that overcharge, which will oppresse me, whill some worthie officer be fetled by his maiestie in that place. Since the writing of what preceedis, I visited my lord Chancelar, who remembred our long conjunction in his maiefties feruice, and our ancient acquentance and freindfhip, which he defired me to remember in the lawfull affaires of his ladie, children, and freinds, which I promifed, and fall, God willing, performe. He is extreamlie weakned, and in fmall hope of recouerie, which is heavelie regrated be many of all eftates. The earle of Mar is now come, and, by conference, hes affured me, that he fall readelie renunce all right, he or his fonne can pretend to any land of yours, wherof I likewayes fpake with Mr Th. Hope for the furetie, and fall fie things perfited before farder be done in the action; and fo I returne heirwith your letter, as ye defired, and wifhing yow all happines, I reft

Your faithfull, affectionat, and obedient freind,

MELROS.

Edinburgh, 13 June [1622?]

To the right worshipfull John Murray of Lochmaben, one of his Maiesties Bedchamber, at Court.

I know ye will be glade to heare, that thair is newes come to me of better hope of my lord Chancelars recourse, which I pray God encrease.

CCLXV.-EARL OF MELROS TO KING JAMES VI.

Most Sacred Soueraigne,

Your maiefties letter, commanding Dunkerkers, being in the herbrie or roade of Leith, to be vfed as fubiects of a prince, in freindfhip with your maieftie, and to be furnished of necessaries for themselues or their shippes, at reasonable rates, wes presented to your counsell, vpon the el-

leuint of this moneth, and affurance given to the bearer and capten of the fhip, that, behaving themselves peaceablie, they fould be no worse vsed nor your maiesties owne subjects. Commandement wes then given to the prouest and bailies of this towne, that they and their water bailie in Leith, fould fie your maiefties will in that busines fullie accomplished. The flip lay in the roade, and the fouldiours repaired to land as they pleafed, till Wednifday at night, that two Holland waughters arrived, and fand a pinage of theirs neere the Dunkerker, who, about one in the morning, affailed the Dunkerker, who made good refiftance, and first repulfed them from bourding, and therefter by the space of two houres, interchanged a great number of fhot on either fide, and many wounded. Before foure, fome of the Dunkerkers, who were a land, and faw what had hapned, came and aduertifed me that the combat wes onlie furceaffed, because the ebbing fea had broght all the shippes on ground, who, so foone as the water fould rife, would renew their combat, which they praved me to prevent. My Lord Chancelar and Thefaurar being abfent, I made speedie warning to the small nomber of counsellors being in towne, to conveene, and directed the prouest and bailies to come before them, and likewayes fent for the conftable of the caftell and admirall de-Meeting first with the magistrates, I directed them to warne their citizens to be in armes, readie to marche whether the counfell fould command them for your maiefties feruice, and commanded the conftable to haue the cannoners, with ordonance, and all necessarie furniture, readie to be employed in your feruice, by the counfell: Who, conveening, fent a charge with the water bailie, with ane herald and trumpetour, to command both parties, in your maiefties name, to keepe your peace, and forbeare inuation one of another, vpon the land or narrow waters, and that each fhip fould fend a principall man to the counfell. Which being obeyed, I told the Hollanders, in your maieftie and your counfels name, that great offence wes taken at their prefumption, to trouble any man, being fubicat of a prince in amitie with your maieftie, in the verie mouth of the principall herbrie of this your kingdome, they of all others being most bund in humble refpect to the effects of your royall fauour to them, notour to all the world.

They excufed the mater, compleaning that the Dunkerker had, within your maiefties waters, affailed and forced their cuntrie shippes, killed of their men, and had deteaned a nomber of prifoners, whom, they requiring to be rendered, the others refufall to do them reason, had made them to repaire violent injurie by laufull inuafion, and defired that the counfell might cause the Dunkerker restore their men. I ansuered, that your maiestie wes freind to both, but that your counfell wer not to be arbiters of their controuerfies, but freindlie receivers of both parties, who fould behaue them felues peceablie, and of new commanded them to forbeare all violence to their aduerfars in this cuntrie, or your maiefties narrow waters: and therefter, calling for the Dunkerker, told him of the Hollanders complaint and wrong done by him, on your maiefties coaft, which he denyed, affirming that what he had done wes in the rowne feas. We proponed the reftitution of the prifoners, which he excufed; but both promifed to keepe your maiefties peace. The Dunkerker defired permiffion to enter the herbrie of Leith, which wes granted, and I think the others will do the like. The admirall depute wes directed to try what the feamen at Leith could performe, if we had found any of the ftrangers difobedient. He reported that they were altogether vnable, and faw no way to force them to obedience, but by bringing ordonance from the caftell to the floare, to ding them fo long as they fould be within flot. they fall keep promife of obedience, we will be releeued of that difficultie at this time; but I will humblie befeech your maiestie to confider and direct what courfe, your counfell fall take at the like occasions, which may frequentlie occurre heirefter, inrespect of the nomber of warre shippes of both parties, in thir feas of late, now liklie to continew, vnles your maieftie, by your excellent wifdome and royall autoritie, prevent it. We have commanded the captaines of both parties to be before the counfell tomorrow, and are informed that he who hes charge of the Hollanders, is called Monfieur de Hautain, and is admirall of Zeland, of good qualitie and accompt amongis the eftates.

This accident hes given ws proof of the incommoditie of my Lord Chancelars abfence, who hes bene fo ficke thir fiftene dayes, that mens hopes and difpaires of his recoucrie have many times changed. He is eased of his paine, but so weake, as, if he escape, which is greatlie wished, it will be long before he recouer his strength; and if he decease, your maiesties feruice may neither admit delay of the appointing of a fuccessour, inrespect of my insufficiency to sufficient the burding during the vacancie, nor can it be supplied but by one of greatest autoritie, faith, and sufficiencie within the kingdome. They are all so well knowne to your maiestie, and your royall judgement is so excellent, and loue to your subjects so notour, as none can dowt of the perfection of your maiesties choice. So, praying God to preserve your maiestie many happie yeares, I rest

Your Maiefties most humble and faithfull fubic&t and feruant,

MELROS.

Edinburgh, 13 June [1622?] at night.

[To the Kings most excellent Maiestie.]

CCLXVI .- THE EARL OF MELROS TO JOHN MURRAY.

SIR.

The inclosed will informe yow of my defire of your freindlie help in the maters may occurre throw occasion of my Lord Chancelars decease; and if ye think that the fight of my letter may moue his maiestie to releeue me of the burding wherwith fome men wold ouerwhelme me, I pray yow vfed according to your freindlie difcretion. I reft

Your most oblifed and obedient freind.

MELROS.

Edinburgh, 16 June [1622?]

To the right worthipfull John Murray of Lochmaben, one of his Maiesties Bedchamber, at Court.

CCLXVII.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE.

It hes pleafed God, this moirning, to call to his mercie, frome this mortall lyffe, the laite erle of Dunfermlyne, your maiefteis faithfull and truftie counfellour, by whofe deathe we ar depryued of grite affiftance, folide counfell, and perfyte refolutioun, whilk by him we had in your maiefteis affairis, and of whofe panefull trauellis, cair, and diligence in your maiefteis feruice, we can beare goode record. Bot feeing, in Godis appointit tyme, he hes compleit his courfe, to the regrait of all your maiefteis goode fubicectis, we could not omitt of dewtie, in regaird of the grite and honourable place, whilk he held in this eftate, to gif notice of his deathe vnto youre maieftie, and thairwithall humelie to befeeke your maieftie to latt we knowe, quhat your maieftie will gif, in directioun to ws, concerning your affairis and feruice, till your maieftie fall haif tyme and laifer to think vpoun a new choife to be maid for that honourable place, whairof we perfuade oure felffis, that youre maieftie, oute of your awne excellent judgement, will confidder that the affairis can not, without prejudice, admit ony lang delay.

and that choife falbe maid of fuche a fitt perfone, whofe giftis wilbe anfuerable to that heigh imployment. And fpecialie, we art o recommend vnto your maieftie the neceffitie of a prefent choife, to be maid of fome perfone whome your maieftie will trufte with the keeping of your maiefteis caffhett, becaus the difpatche of all the publict affairis of the ftate, alfweele concerning your maieftie as youre fubicctis, quhairunto your maiefteis hand, vnder the caffhett, is requifite, dependis thairon. In the meantyme, we haif thoght it expedient that your maiefteis grite feale falbe reflaued and keeped by ordour, to be preferyued be your counfell, who wilbe anfuerable that no vfe falbe maid of it, till your maiefteis goode pleafour, falbe thairin knowne vnto ws, at whilk tyme the feale falbe delyuerit to fuche as your maieftie falbe pleafed to command. And fo, with oure humble prayeris vnto God for your maiefteis lang and happie reignn, we reft

Youre Maiesties most humble and obedient,

A. Mar.	J. Erskyne.	W. OLIPHANT.
Wigtoun.	CARNEGY.	SCOTTSTARVETT.
SANCTANDREWS.	J. Cokburne.	GEO. ARESKYN.
Melros.	J. CARRE.	Conseruiteur.
Ja. Glasgow.	J. Hamilton.	WEEMIS.
AIRE	R COKBURNE	

Edinburgh, 16 Junij 1622.

To the King his most facred and excellent Maiestie

CCLXVIII -- EARL OF MELROS TO JOHN MURRAY

SIR.

I HAVE received your letter of the tent, and having wretin by the packet, caried be George Bailie, who parted vpon Sonday laft, of my Lord

Chancelars death, and, in a letter to his maieftie, told what order wes intended for keeping the great feale and cafchet close vnvfed, till his maiestie fould be pleased to give warrand for exercice therof, we expected that they fould have beene prefented to the counfell vpon Tyfday, but that wes delayed ypon an excuse knowne to be true, that the Earle of Winton, who now hes thame, had beene fo ouerwatched ten or tuell nights attending his vncle in his fickenes, as not going to bed but verie feldome, wes much altered, and not able to compeir vpon Tyfday. We expect his prefence ypon Thurifday, and therefter ye fall know what farder is done theirin, that by yow his maiestie may be informed of the counsels diligence. But, as I wrote before to yow, vnles his maiestie take some fpeedie courfe to place in that charge, one of the worthieft and greateft autoritie in this kingdome, there is danger that his feruice may receive preiudice. A greater part of the burding lyes vpon me nor I am able to beare. Many are able to ferue at tennice, at the corde, who ar vnfit for the house. The nobleman latelie deceased, bearing the weghtie end of the barrow, made my charge light at the lower staale, his fusficiencie and autoritie making my take eafie, but if I want the like relief by anothers imployment in his place, I may fhortlie incurre his maiesties displeasour for want of fufficiencie, when I have vfed the best intended diligence that can be expected from fo weake an inftrument, for eschewing wherof I haue prayed yow, by all my letters wretin fince the beginning of the Lord Chancelars fickenes, to reprefent to his maieftie the necessitie of a readie refolution in the choice of a worthie officer in the place now vaiking, and will neuer ceafe to importune yow, whill that busines be well fetled. For your nighburheid, I wish your partie may conforme him felf to reason, as I think he fould and will, and, if he do otherwayes, if all that are bund to your kindnesse be thankfull, your honest causes can not want laufull help; but I remit that to tryall, and hope the best of all honest men.

No better refolution can be taken anent my Lord of Stormont bufines, nor that which your letter expresses. I am forie to heare Pitlour compleane of some new rigour, alledged vsed by my lords people agains him in their nighbourheid, but it is not my part to condemne a freind vn-hard.

All that love yow will allow the good courfe taken by yow for fetling freindship with the Earle of Niddisdaill.

The Earle of Mar, knowing his maiefties pleafour anent his renunciation of his clame as air to the Earle of Douglas, hes given in a declaration generall theranent to the feffion, which is registrat in their boukes, and will gaue particular contentment to parties who fall require their interest to be fecured; which I pray yow fignifie to his maieftie. The action betuix him and the Lord Elfinston delayes upon other occasions; and what Maister Thomas Hope will require for yow will be performed: fo, withing yow all happines, I rest

Your obleithed and obedient freind,

MELROS.

Edinburgh, 19 June [1622.]

To the right worthipfull John Murray of Lochmaben, one of his Maiesties Bedchamber, at Court.

CCLXIX.-THE LORDS OF SESSION TO KING JAMES VI.

MOST SACRED SOURRAIGNE.

In the action moved be the Erll of Mar against the Lord Elphinstoun touching the lands of Kildrymmie, it hath pleased your maiestie, being informed of a reasonable cause, which may dishable your maiesties owne Aduocat to discharge his dewtie in that pleading, to substitute Sir Alexander Gibson of Durie, knight, one of our ordiner nomber, who. thogh in all humilitie and reverence, did offer him felff most readie and will to embrace and obey, without exceptioun, all your maiesties commandements, yet, finding this motion new and strange, proceeding rather from the instant fuite of a partie, nor any other warrantable ground, did wish vs to tak the famyn to our consideration, and let your maiestie knowe our judgement and opinion thairanent; and when we fund, it did in consequence touch the whole body, whereof we ar members, we could not weell refuse fo reasonable a desire, bot rather wer vniformelie moved by the disfluasive reasons following, to represent to your maiesties royall wishome, which is our best leadstar in doubtis of this kynde, the effects which may ensue, iff this haue any way, as it is now fuited.

First, the eminent dignitie whervinto your maiesties princelle power hath promoved vs in this place, shall, by this meanes, be empared, for that hath ever heirtosoir previleged vs, from necessitie of vindergoing of any inferiour function, bot speciallie such a charge as this, which can not be dischargit bot at the arbitriment, and be the disposing of the pairtie informer.

Nixt, as it is new and ftrange, fo it is likewyfe for the preparative, dangerous, confidering how aften the like caice may occur, at leaft the like caufe be pretendit. For, iff it fall be arbitrarie to pairties, imploring the ordinarie ayde of iuftiee, to fingle out, under the like pretence, any of our nomber, at thair pleafure, it will in end proue both a weakning of our body and ftrengthning off actions; and thefe bad effectis, which this courfe, by appearance, will produce, moues us to reft affured that your maieftie, out of your royall care, afweell of us, as the weell of your fubiccts, will both foirfee and avert the danger of them, and will rather be gratiouslie pleafed to appoint that choife of substitutious out of the number of advocats, nor our number, and the rather in respect that number hath, often before this tyme, beene with good success the feminarie of this place, and the guarden, whence these of whome your maiestie made choyse for that fervice, have alwayes bene pluckt and taken.

This our opinion on the occasion forfaid, as it doth proceid from our loyall and harty affections, so we hope shalbe kyndlie taken by your maiesties fatherlie love, and we our selves be surther directed by your maiesties royall wisdome and pleasure, to which, in all humilitie, conform-

ing and fubmitting ourfelves, and praying God for all happienes and profperitie to your maiefties royall perfone and pofteritie, we reft

Your Maieflies most devoted and humble fervitours,

MELROS.
T. HENRYSON.
SANCTANDREWS.
WEMIS.
LAUDERDAILL.
CARNEGY.
MELUILL.
A. HAMILTON.
KILSAYTH.
A. HENRYSON.
GEO. ARESKYN.
AL. HAY.
KILSAYTH.

Edinburgh, the xxth of June 1622.

To the King his most excellent Maiestie.

CCLXX.-SIR THOMAS HENRYSON TO JOHN MURRAY.

Most Honorable Sir,

My maift affectionat dewtie premittit: the effectuall proove of your honoris firme freindfchip and affurit fauour, imboldnes me euer to rely vpoune the continewance thairof, towardis me and all myne, as I fall euer think me bound vith ane wndiffoluable obligatione to your honour and all your, quhill I live, or then be efteamit the vngrateft man leving: and amangt the reft of your honours courtefies, I muft expect your fauour to, and cair of, ane tender freind of your awin honouris, the commiffarie of Dumfreis, Maifter James Haliday, now in effect your honours fifterfoonne, having mariit your neipee; his woorth and behauiour, I dout not, fall pleid for him at all handis; and feing thair is furnifed heir the promotionne of fome noble perfounes, quha hes ordinaire places

in Seffioune, to the dignitie of the Chancellarie, now wacand, throw the deceife of ane most woorthie and incomparable subject as euer I knew in justice feat; it war not amifs to remember your honours deir freind, quha is in sufficiencie not inferiour to ony pretendand: I dout not but his cariage vith tyme will procure his adwancement. The considerationne quherof I remitt to your honours awin gud pleasure; and if ony of my freinds aboue can second your honours intentions heirin, I will most cairfully recommend the busines to thame, as myne awin; and praying your honour euer to esteame me, as your sirmely bound and tyed man, to your honours irrecompensable fauours, I committ your honour to Godseuerlasting protectionne. Edinburgh, the fourt of Julij 1622.

Your honours maift affectionat feruiteur.

T. HENRYSON.

To the right honorable and his woorthic freind, Jhon Murray of Lochmabene, gentilman of his Majefties Bedchalmer, at Court. Thefe.

CCLXXL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Whereas the tyme of changeing of the fchireflis, of whome youre maieftie hes the nominatioun, now approtcheis, we haif heirwith fend vp to youre maieftie, ane roll of the jufticeis of peace within these shiresdomes, to the effect youre maieftie may point oute, such as whom youre maiestie wilbe pleased to prefer for the yeir to come. Thay who ar presentlie in office, ar markit with the letter P; and quhairas lykewayes, the office of shiresship of Murray hes bene, thir divers yeirs bigane, voyde, pairtlie through the deceis of the laite shiress, and pairtlie vpoum occasion of ane pretendit comprysing of

the faid office led be Dauid Kinloche, marcheant burges of Edinburgh, who, being confcious to himfelf of his awne waiknes for fuche ane charge, hes forborne to medle thairin, fua that the administratioun of justice within that flirefdome hes ceaft; and your maiefties awne affairis, wherof the executioun pertenis to the fhireff, hes bene neglectit. And because the mater of the taxatioun wes in handis, whilk might admitt no delay of tyme, we burdynnit the Lord Lovatt, as tutour to the young fchireff, with the ingaddering of the taxatioun for that shirefdome, who excuisit him felf that he could not medle in that mater, inrespect of the comprifing foirfaid, without a formal commissioun of shirefship in write for the whole foure yeiris of the taxatioun; in whilk point, we could gif him no other fatiffactioun, bot that we fould acquent youre maiestie thairwith, and crave voure maiefteis awne allowance thairunto; wherupoun he wes induceit to accept the charge for this yeir, the terme quhairof being now drawing neir, and the necessitie of a shireff for the mater of the taxatioun, befydis the otheris adois of the cuntrie, being fo vrgent, as it can not weele be delayed, we will humelie befeeke youre maiestie to latt ws knowe, yf youre maiestie wilbe pleasit with the continewance of the faid Lord in that charge, for the veiris to come of the taxatioun, whilk, in oure opinioun, is the faulfest course for youre maiefteis feruice; or, vf youre maieftie will mak choife of ony other, we shall in all reuerence acquiesce to youre maiesteis pleasour thairanent. And fo, praying the Almightie God to watche ouer voure facred perfonne. and to bliffe youre maieflie with mony lang and happie yeiris, we refl

Youre Maiesteis most humble and obedient fubiestis and feruitouris,

A. Mar. Wintoun. Lothiane.

MELROS.
LAUDERDAILL.
MELUILL.

Edinburgh, 18 July 1622.

To the King his most excellent and facred Maiestie.

CCLXXII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By oure formar lettre of the xiiji of Junij last, we acquentit youre maiestie quhat course we had tane betuix the Spanishe and Holland shippis that laitlie combated in the roade of Leithe, and how that we wer petitioned on the behalf of fome prifonnaris tane and detenit in the Spanishe schip, that thay might be putt to libertie, conforme to the custome of nationis, alledgeit to be vniuerfallie observit in the lyke caife, quhairunto we deferred to gif answer, till the knouledge of youre maiefteis pleafour, becaus the mater wes a noualtie, quairof the lyke had not occurrit in this kingdome, and we wer not foirfeene quhat the custome of nationis in fuche a caife allowed. Senfyne, thay haif renewit thair petitioun almost energy other counsell day; but the expectation of youre maiesteis answer, quhilk we daylie attendit and looked for, maid ws to putt thame of with the best excuifs we could. And now the mater hes bene of new vrged this counfell day; and it is conftantlie affermed that fome of thir prifonnaris ar deadlie feeke. The confideratioun quhairof moued the counfell, being convenit in a frequent number, to think that Christiane cheritie and humanitie, in a mater of this kynd, required a fauourable heiring and answer; and thairfoir, we haif directit two of the bailies of Edinburgh, with a phifitioun, to go and vifite the prifonnaris, in quhat effate thay ar, and how mony of thame are trewlie feeke, and to reporte the trewthe thair of to ws vpoun Twifday nixt; and we haif lykewayes ordanit the captaines of the Spanishe and Holland shippis to be befoir ws the faid day, inftructit with fuche informatioun and probatioun, anent the cuftome of nationis, as the one will vfe for the laughfull detentioun of the prifonnaris, and quhairby the other will laughfullie clame their libertie, and to viderly fuche ordour as falbe tane thairanent; wherin mony ar inclyned to haif a favourable regaird of fuche as ar difeafed, and to putt thame to libertie vpoun cautioun for thair reentrie, yf fo it shal pleis your maiestie to command. We haif bene, and ar verie spairing to medle in this mater, whilk concernis the fubicetis of ane prince and effate, with whome your maieftic flandis in goode termis of freindship, and we can find no precedent, wherby we may be directit to a cleir and perfyte resolution in this point; and thairsoir we will humelie presome of new agane to requestly your maiestie, to affist ws, by the excellencie of youre awne found and perfyte judgment, in this mater, and, by the returne of youre gratious will and pleasour, to latt we knowe quhat we fall do thairin, and whilk salbe a reule to we in all occurrencies of the lyke natur heirester. And so, in all humilitie, praying the Almightie God to blisse your maiestie with mony lang and happie dayis, we rest

Youre Maiesteis most humble and obedient fubiectis and feruitouris,

GEORGE HAY.
A. MAR.
J. MORTON.
MELROS.
MELUILL.
LAUDERDALL.

J. ERSKYNE.
KILSAYTH.
A. HAMILTON.
BUCCLEUCHE.
CARNEGY.
W. OLIPHANT.

Edinburgh, 25th July 1622.

To the King his most facred and excellent Majestie.

CCLXXIII.-JOHN MURRAY TO THE EARL OF MELROS.

RIGHT HONORABLE,

I have receaved your letter off the 18, and hes confiderit vpon the fame, and the caus off my wreittin thefe lynes to your lordfhip, is the mache off my freind your lordfhip wryttis off, that is gone one ffor foe fare, for that I knoe owt off the countree, that fome hes wrocht in that more earnist nor before, and laid there grownds for this reasone, that may freindschepe to the Lard Jonston can not be suche, as he can luk for ony good by me; fecond, the freindscheepe betuix the earle off Nyddisdaile and me, this I will fave, he that comtes befor his oift comtes tuyfe, and thefe whoe hes keepit the Lard Jonfton in trowble, hes not left off as yett, to hald him that waye, and ffor that whiche I wreitt to your lordthip before, off my care off the Lard Jonfton, I think myght ferved. and more I could fave, iff I war with your lordfhip, bot will lett that reft till the owin tyme. This I have wreittin to your lordfhip, to defeir the Lard Jonfton to flave the contending his mache, whill he heard ffrome me, and iff my afferes be not als muche both for his comoditie and honor, vee, and to aquent his honor, with Gods greace, and the affurence off my owin freindscheepe, as your lordship and other off his honorabill freinds thall be judge, that he may doe as he pleaffe, and in this I will defire your lordship to aquent him, and lett me heare ffrome your lordship iff thingis be not don, and flave thame whill your lordfhip haue my anfuer agane; foe, haweand noe vther occasion at this tyme, I will wische your lordfhip all happines frome him that will remeane

Your Lordships most obleshed to serve yowe,

JOHN MURRAY.*

At Whythall, the 27 July 1622.

For the Lard Jonstons bustines with the tutor, I shall answer that noe course shall be taken in that, but according as he did aggree at his being heare the last yeare, fore soe I have orderit with my Lord Nyddisdeale. Something of this I showe my lord Chanceller, at Windsore, on his way comyng frome hence.

To the ryght honorabill, my werie good the Earle of Melros, Lord Secretter off Scotland.

[•] John Murray was created Viscount of Annand shortly after the date of this letter, but as the patent cannot be found, the exact period has not been ascertained. It must, however, have been between the 27th of July and the 6th August thereafter. Upon the 13th March 1624, his Lordship was created Earl of Annandale.

CLXXIV.—SIR THOMAS HENRYSON TO THE VISCOUNT OF ANNAND.

My Honorable and Woorthie Lord.

The dewtifull offer of my kindlie fervice premittit, I am not able, ether by woord or wreitt, to express your lordships fauours and woorthie meritts towardis me; and if I fuld stryve and preife to acqyte thame kythit in deidis, by woordis only, I micht be estimat in rank of ingraitis, but my mynd sall ener be far ytherwayis, if it sall pleis God, I haife that happines to express it by sum occasionnes, ether in your lordship, or your lordships freindis busines, or ony thing that can concerne your lordship, quherin I am able to ferue your lordship or any of yours, I will intreit your lordships fauour by commandement to assay, if I sall schrink in your lordships honorable pretensions, in quhat I am able; and as I haif found your honorable lordships gude and essectuall fauour, in tymes past, so will I ener relie thairypoune, as my cheist patrone and protectione. The Lord increase your lordship in all health, wealth, honour, and prosperitie, yith perpetuitie and indurance heir, so long as slesche may slorische, and in eternall selicitie heirester.

Your Lordships maist affectionat feruiteur,

T. HENRYSON.

Edinburgh, the first of August 1622.

I receauit your lordships letter of the 24 Julij this day, efter the writting heirof, quhilk is moire acceptable to me then ony thing culd befall. Pithic in wryting as your lordship hes bene to me, powerfull in doing, quhilk I fall esteame euer ane sure testimonic of your lordships

vndefervit fauour. I will not importune your lordship vith euerie occurrent, but will acquant your lordship be my nephew.

To my most honorable and woorthie Lord, my Lord Vicount of Annand, These.

CCLXXV.-LORD JOHNSTOUN TO THE VISCOUNT OF ANNAND.

My VERIE HONOURABLE LORD,

My dewtie and feruice remembered vnto your lordfhip. I am informit be the rycht honourable my Lord of Melros, of your lordfhips lowe and kyndnefs ye carie to my hous, ffor the quhilk I falbe ewer reddie to ferve your lordfhip. As concerning my buffines with Drumlanrig, your lordfhip fall witt, that I may do thairin as pleaffes me, and fall keep myfelf frie, quhill I heer farder frome your lordfhip. Quhairfoir I will requeift your lordfhip to acquent me particularlie of your lordfhips meanyng, and giff it be to my credit and contentment (as I doubt not the contrair), your lordfhip fall command me. Pleis your lordfhip, my tutor and I hes of new fubmitted to fome of the Ordinaries Lordes of Seffion, and my Lord Chancellar to be overfman. Sua, expecting your lordfhips anfwer, with the first occasioun, I reft

Your lowing cuffing to ferue yow,

JOHNSTOUN.

Edinburgh, 6 August 1622.

To my verrey honorabill guid Lord, my Lord Vifcount of Annan, Gentillmen of his Majesties Bedchamber, These.

CCLXXVI.-EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My VERIE HONORABLE GOOD LORD,

ALBEIT your fordships letter, which I returne heerwith, wes directed by packet of the 27 of July, for life, yet it came not to my hands till the fourt of this month, at tuelue a clock. I caufed make prefent fearch for the laird of Johnston, and trying that he wes in Elliston, I wrot to him, and inclosed your letter, praying him to confider of your kyndnes as it merited, and let me have his answer with diligence. Yesterday afternone he came to this place, and redeliuered your lordfhips letter, and promifed to have his letters at me this day to be fent to your lordfhip. The packet fall go fo foone as I receive them. His mother is in Edinburgh, and Westerhall is still with him. He seemed to be well pleased with the motion, fince it conteaued affurance of his profit and honour, which is all can be defired, if the parties be pleafed each with the other. He can not at this time have the earle of Mars advice, for he is prefentlic going to the Brae of Mar. Sir James Bailie promifed to get John Auchmonties ansner anent the submission. I told him it must be in no other termes, but what fatiffaction your lordship fould give him for any right or kindnes he could pretend. If he confent, the fubmission fall be drawne and fent to be fubferined, otherwayes your lordship fall be adnertifed of his refolution. So, till farder occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to ferue yow,

Melros.

Barnbougall, 6 of Aug.

The laird of Johnston came to me this day, and told that he had been in Allowa, at the earle of Mar, who had counfelled him to heare of the

particular condicions, which being agreeable to his good, fould have his heartie confent. But ye will know things best by the lairds awne letters fent heirwith. 7 Aug. 1622.

To my verie honorable good lord, my Lord Vicount Annand, at Court.

Receaved the 17 Aug. at Elderschote, 1622.*

CCLXXVII.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Thair was a petitioun gevin in this day to youre maieflies counfell, in name of James and Williame Cochranes, Archibald Hamiltoun, and Johnne Smaill, burgefles of Edinburgh, and George Duff, writter, havelie regraiting the wrong done vnto thame by that finifler reporte maid vnto youre maieflie, quhairwith thay wer burdynnit to be fubornaris of the witneffis, produceit in the actioun of diuorce, perfewit be the faid Williame aganis Iffobel Gichane, his fpous, quhairupoun youre maieflie was moued to grant ane warrand to the erle of Nithifdaill for apprehending of thame, and committing of thame to warde, whilk was accordinglie execute vpoun thame be the faid erle his brother. And feeing thay wer never callit to thair answer for that cryme, thay being men who ar ansuerable and obedient to the lawis, and wer never spotted with such vulaughfull doingis, thay humblie defyrit that thay might be fred of thair warde, vpoun cautioun to be ansuerable to thair tryale, quheneuir thay

^{*} In Lord Annand's hand-writing.

falbe callit. This complaint being hard and confidderit in counfell, it wes thoght, be the vniforme confent of all that wer prefent, that in materis of this kynd, quhair the law is patent, and iuftice indifferentlie ministrat to all complenaris, that youre maiestie fould not be importuned nor fathed, bot that the pairtyis fould haif thair recourse to thair ordinair judgeis; and towcheing this point of fubornatioun objectit aganis thir men, the tryale thairof wes proper to the commissionaris of Edinburgh, or to the Lordis of Seffioun, incais thair concurrence had bene craued. befoir whome the pairtie might haif expectit all laughfull fauour towards the difcouerie of that cryme that the courfe of inflice wald allow. way falbe gevin to privat pairtyis, oute of thair difcontented humours, to leave thair ordinair judgeis, and to impefhe youre maieftie with thair petitionis, aganis forme and ordour, we doubt not bot youre maieftie will confidder guhat prejudice will thairupoun follow to the ordinair courfe of inflice, and how far youre maieflie wilbe importuned and fashed. thairfoir, we will humelie intreate voure maieflie, that in occurrentis of this kynd, to be heirafter prefented vnto youre maiestie, youre maiestie wilbe pleafed to remitt the pairty is to the course of law, in the ordinair iudgement; by quhilk doing, youre maiestie wilbe fred and releved of grite importunitie and fasherie, and the ordiner forme of iustice wilbe preferred. And quhairas thir men ar refponfall and anfuerable, and fome of thame hes borne office of baillierie within this burgh, and we neuer hard of ony imputation of difcredite aganis thame, it was thairfoir thought aggreable to equitie and iuftice, that thay fould be fred and releved of thair warde, vpoun cautioun, vnder grite fowmes, for thair reentric vpoun the first counfell day of Nouember. Yf, in this meane tyme, youre maiestie wald haif ony forder ordour to be tane with thame, vpoun the fignificatioun of your maiefties gratious will and pleafour, it falbe obeyed. Frances Keith hes bene ane often petitionar for his libertie, and offeris cautioun to be ansuerable to his tryale, and to keepe warde within Edinburgh or a myle thairabout, vnder grite foumes; bot feeing he wes fend heir by youre maiesties speciall directioun, his libertie wes resused till youre maiesties pleasour be knowne. And so, praying the Almightie God to

watche ouer youre facred perfone, and to preferue youre maiestie in helthe and prosperitie, we rest

Youre Maiesteis most humble and obedyent fubicctis and feruitouris,

GEORGE HAY.
A. MAR.
WINTOUN.
PERTHE.

Melros. Lauderdaill. Roxburgh.

Edinburgh, 28 August 1622.

To the King his most facred and excellent Maiestie.

CCLXXVIII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By a lettre fend heir frome the Archiebishop of Glafgw, we ar certifyed that Mortymer, the Jefuite, prisonner in Glafgw, is havelie diseased with ane appeiring deadlie consumptioun, and that haueing spent all that he had, hes not now the meanis to interteine him felf, and that he daylie cryis to be fend to France, offering to act him felf vpoun the parrell of his heade nevir to returne; and the archiebishop inclynnis that he falbe fend away vpoun this same conditioun, yf so it shall pleis youre maiestie to think meete. And thairfoir, these ar humelie to requeif youre maiestie to latt ws knowe, youre maiesteis will and pleasour in this mater, that accordinglie we may conforme oure felss thairunto. And so, con-

tinewing oure vnceffant and cirnift prayeris vnto God for youre maiesteis lang and happie reignne, we rest

Youre Maiesties most humble and obedient fubicctis and feruitouris,

GEORGE HAY.
A. MAR.
WINTOUN.
PERTIIE.

Melros. Lauderdaill. Roxburgu.

Edinburgh, 28 August 1622.

To the King his most facred and excellent Majestic.

CCLXXIX .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

The erle of Wyntoun, vpoun the returne of youre maiefteis will and pleafoure, anent youre maiefteis grite feale and eathett, quhairof the laite erle of Dunfermlyne, youre maiefteis Chancellour and faithfull feruand, had the charge and keeping, haueing exhibite the fame befoir youre maiefteis counfell, who wer concenit in a frequent nomber at that tyme, he humelie defirit, that by fome autentique record, the dewtifull behaviour and cariage of the faid laite lord Chancellour, in youre maiefteis affairis and feruice, might be teftifeit and approvin, to the effect the fame might remayne to his pofteritie, as a pledge and taikine of youre maiefteis gratious fauour, and by the quhilk your maieftie wes to crowne the mony grite fauouris formarlie bestowed be youre maieftei vpoun him. This petitioun being hard and considderit in counfell, it wes thoght meete that

the fame fould be recommendit vnto youre maieftie, to whome the finceritie of that nobleman, his affectioun and difpositioun to youre maiesteis feruice, wes so weele knowne; and thay nowayes doubtit bot that youre facred maiestie, oute of youre awne gratious respect towards all youre weill deferving feruandis, wilbe pleased to allow of this approbatioun. And thairfoir, we haif heirwith send up vnto youre maiestie, this signatour, drawne up in his fauour, to the effect the same, being warranted by youre facred hand, may thairester be past and exped in counsell. Yf ony thing be defective in the signatour, outher in the forme or substance, upoun the returne of youre maiesteis pleasour, it salbe reformed. And so, with oure humble and uncestant prayaris unto God for youre maiesteis lang and happie reignne, we rest

Youre Maiesteis most humble and obedient fubicctis and feruitouris,

GEO. CANCELLS.
ROXBURGII.
A. MAR.
MELROS.
LAUDERDAILL.
GLENCAIRNE.

STORMONT.
PERTHE.
J. ERSKYNE.
WIGTOUN.
CARNEGY.

Edinburgh, 28 August 1622.

To the King his most facred and excellent Maiestie.

CCLXXX.—NOTE BY THE EARL OF MELROS AS TO SIR WILLIAM KEITH'S IMPRISONMENT.

VPON the tent of October inftant, Sir William Keith, of Ludquharne, gaue in a bill to the counfell, defiring suspension of the horning yfed against him, for his not compeirance before them, and for not entering fuch perfones as he wes decerned to exhibit. I produced a letter of his maiefties, commanding me to flow to the counfell, that Sir William had informed his maieftic, that there wes one whom he wes vnable to exhibite, wherby his maieftie wes pleafed, that if he fould prefent him felf and the reft, his royall pleafure wes, that paynes fould be taken to reconcile Ludquharn and his partie; and if any difficultie were found, that his maiestie fould be aduertifed therof. Which letter being red, Ludquharn wes called, and by my Lord Chancelar informed, that albeit the generall order required that he fould not have any fufpenfion till he and his complices were entered in ward, yet his knowledge of his maieflies defire to haue his troubles fetled, had moved him to flay his partie to profecute their intention, to vie caption against Ludquharn that morning, and the same respect had induced the counsell to dispense with the vsuall forme, and to grant him fufpention till the first counfell day of Nouember, he finding caution, under the paine of thrie thousand punds, that he fould that day compeir and enter his other complices, except one, called Mershell; and that, in the meantyme, he fould remane within fix miles of Edinburgh. Ludguliarn answered, that he wes viable to enter the most part of his men, fome of them being dead, fome gone to the Lowe Countries, and fome gone to Cathnes, fo as he could not bind him felf to prefent thefe; neither wes he able to enter any of them, vales he wer permitted to go to his owne house; but if that fauour were showne him, he would find caution, either to prefent them or enter him felf. My Lord Chancelar told him, that the counfell could not confent to his going to the cuntrie, because, he being put to the horne for his and his mens not compeirance, he had gone to court, and efter his returne, had keeped his rebellious complices in his companie, and with them riddin opinlie in the cuntrie, not forbearing Mukals bounds, which prouocation had increased the parties greif, and bred felander in the cuntrie; and for preventing the like, the counfell wald reftraine him from going to the North. I prayed him to conforme him felf to the counfells direction, and not to feare the danger of his cautioners, but to obey and imploy his friends to perfuade or force als manie of his complices to compeir as they could; and if by that meane his maieftie fould fie cleir prouffes of his obedience and diligence, he had found fo cleer testimonies of his maiesties gracious elemencie, as he might vidowtedlie beleeue that his maiestie would not allow any penaltie to be exacted, which he fould vinwillinglie incur; telling him withall, that he wes alreadie fo far in his maiesties reuerence, as, if he wer rigourouslie disposed, he might be charged with more nor his estate could beare. But he still pretending his inabilitie to do any thing if he wer not licensed to go to his cuntrie, the counsell commanded him to the towbuith. He contended earnestlie to have ane act, testifeing his offer to find caution to enter himself or his complices, which the counsell took not well, as tending to a complaint of hard vsage, efter they had delt fo fauorablie with him.*

[Oct. 1622?]

CCLXXXI.-SIR WILLIAM KEITH TO KING JAMES VI.

Most Gracius and Dreid Soweringe,

Max it please your most excelent maiestic to pardone the bouldness off me, your maiestics poore distressed subject, and with the eye off compassion to petic and regaird my esteatte. At your maiestics commande, I come heir to the counsal off Scotland, with allis grytt expedition as I could, and ther offeritt my felff willing, in what was possible for me, to obey ther commandmentis; whois pleasour was, that I fould nott go home, bott fett fure and responsal catione, under the paine of thrie thowsamd pound, to remaine confynned in Edinburgh, and sex myllis ther about, and to the nixt counsal day, which happinis the system on, off the ryatte done to Muchall, or ellis presentie to enter my felff in presence in the tolbowth off Edinburgh; and because off the impossabilitie

[.] Autograph of Lord Melros.

of my gettinge off furretie to bringe in thois men, for no freind wold be cautione for me in thatt, in refpect the holl men ar fled the cuntrie; wherfor I am compelled to except off the fecund, to go my felff, wher I miferabillie remaine preffonar in the Tolbowth off Edinburgh, ewer to your maiefties gracius favore appeare to my releive, wheroff the raither I affure my felff, for that your maieftie heath bein graciouflie pleaffed, at Okeine, in Appryll laft, royallie to favore me with the promice off a frea pardone off all: and whatt I hawe fuffered fince, in my owin perfone and my freindis, is knowin to manie, and will not now trubill your maiefties earis therwith; only my earnift wifhis and contenvall prayer to God Almightie is, and fhalbe, for your majefties longe and happie reine, and I am ewer

Your Majesties humbille, loyall, and obediand fubject,

SR. W. KEYTHE.

Tolbouthe off Edinburgh, 9 off October 1622.

To his most gratius and dread Souerane, the Kingis most excellent Majestie.

Indorfed:

Ludquhairne, 9 Octobris 1622.

CCLXXXII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

HAULING beene oft petitioned, on the behalff of Frances Keythe, who, be your maiesteis directioun, wes send heir in the moneth of Junij last, and hes beene prisonair in the towbuithe of Edinburgh sensyne, that outher he might be putt to his tryall vpoun the crymes, for quhilkis, he wes

wardit, or then fred vpoun cautioun, conforme to the order, we deferred to gif ansuer to his petitionis, till the knowlege of your maiesteis pleasour, becaus we never hard frome youre maieftie concerning that mater, and nather knew the caus of his impriforment, nor who wes his pairtie. Bot he having still importuned we with his petitionis, quhairin he ever instantlie vrged his tryall, and we finding that fen his heir comeing, thair hes nather a pairtie kythed, nor no perfute nor actioun intentit aganis him; and confidering thair with all that he was a poore gentleman, wanting meanis to interteny him felff in warde, it was thought, be the whole voceis of all thefe of the counfell that wer prefent, that in a mater of this kynd, quhair thair wes nouther a knowne perfuite nor pairtye, that the benefeit of the law could not be denyit vnto him. And thairfoir he is put to libertie, vpon cautioun for his remaning and keeping of warde within the burgh of Edinburgh and the Cannogait, till he be fred. Yf we had knowne that youre maieftie had ony entres in the buffynes, we wald not haif medlit thairin, without your maiefties allowance; and thairfoir we will craue permiffioun humelie to intreate your maieftie, that in occurrentis of this kyndheirefter, quhan pairtyis ar fend home or wardit be youre maiesteis directioun, that youre maiestie wilbe gratiouslie pleased to latt ws knowe yf youre maiestie hes your awne particulair interes in the mater, or yf it concernis priuat pairtyis, to the end, that in the one we may attend youre gratious will and pleafour, and in the other we may proceed fofar as the courfe of law and inftice will allow. And humelie craveing youre maiefties pardoun for this oure prefumptioun, and praying God to bliffe your maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient fubiectis and servitouris,

GEORGE HAY. J. HAMILTON. GEO. ARESKYN.
MELROS. R. COKBURNE. W. OLIPHANT.
MORTON. ARCHIBALD NAPER.

Edinburgh, 21 Nouember 1622.

To the King his most facred and excellent Maiestie.

CCLXXXIII.-EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My VERIE HONORABLE LORD,

I RECEIVED your lordfhips letter of the fecond, for the busines of Orknay. There could not have been a more fit occasion to know the reasons of the counsels proceedings, nor when my lord Chancelar wes with his maiestie; but in that, as in all other occurring affaires, I fall striue to be with the first, in promoving all his maiesties royall commandements.

I have also assured Sir James Bailie, that when it fall be time to wourk in Bassis busines, I fall concurre as if it were for my felf.

Maifter Walter Whytfoord wes on Tyfday in this towne. I have fend to feeke him, and if he can be found, I fall make him to fpeake with the vicount of Air and Sir James Bailie.

I have inquyred of Lochinvars dyet at his fone, who is come to this towne; he expects his fathers coming within thrie or four dayes, and when Harbert Maxuell comes, the mater fall be vrged to an end.

The vicount of Air* hes promifed to vie diligence for perfyting the fecurities betuix your lordship and the earle of Niddifdaill.

Your lordfhips affaires with the earle of Bukcleugh are fettled.

I must evrie yeare once trouble your lordship with the remembrance of that token, which his maiestie hes been graciouslie pleased to bestow, as a bontifull acceptance of my feruice, which fall ever be faithfull and diligent, and my duetie to your lordship fall be vnchangeable, as becometh

Your Lordships affectionat freind to ferue yow,

Melros.

Edinburgh, 11 December [1622?]

. Lord Sanguhar, created Viscount of Ayr 2d February 1622.

Sir Archibald and Sir Alexander Naper can teffifie my readines in the bufines concerning my lord and lady Ogiluies; and when the mater comes to dealing, if he apply not himfelf to reafon, I fall leave him to the blame and burding of his owne actions.

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCLXXXIV.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

RIGHT HONORABLE,

Your lordship shall be advertissed, that he quho is presentlie Juffice Clerc (the lard of Ormifton), is fo afflicted with extreame aage, blindnes, and vther infirmities, that he is altogither difinabled ather to valk abrod or difcharge his place, and by all appearance, is not long to furvive. And becawfe it concernis me fo neir, that feruis his majeftie, as Juffice deput, to be vell or ewall goked, incace it plais God that I liwe, I have aduentured thir few lynis, being confident of your lordfchips goodnes, that his majeftie, by your lordfchips information, micht be the better prepared agains the importunitie of vnfit futors for that place (of Justice Clerc), quhich aucht not to be giwen to thois that futt it, bot to thois that ar vorthie of it. And as the lywis of men ar mor pretious then thair goods, fo lett the vorthines of him be respected, to quhome the lywis of men ar to be trufted; for if he, quho is to be inclosed with affyfors (quho for the most part ar rud and ignorant), depending much upon the clerc his information; if he, I fay, be not a found confcientious man, and frie of baife briberie, he may prowe a pernitious inftrument, and be the cawfe that iniquitie may be committed, as we haw git in memorie of on Thomas Scot of Abbotifhall, quho was Juffice Clerc to King James the fyft, of happie memorie, quho, being ftricken with a terror of confcience, at the hour of his death, for his ewill cariage in that place, dyed in defparation, crying, "I am damned, I am damned." Jit among all vtheris, young men, and men of great claimis, ar most dangerous for that place.* Ceaseing farther to fasche your lordships eares, and referring all to your lordships prudence, vishing that, by a happie election of such ane officiar, God may gett glorie, his majestie contentment, and the people securitie, by getting right quhen thair lywis shall be in question, and your lordschip praise and thankis for being a good instrument. Thus, resting consident that your lordschip will tak my boldnes in good part, I rest

Your Lordschips affectioned and humble fervitour,

AL. COLUILLE.

Edinburgh, 20 December 1622.

To the right honorable his fpeciall good Lord, my Lord Vicount of Annan.

CCLXXXV .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

The earle of Melros, youre maiefteis fecretarie, exhibite this day vnto youre maiefteis counfell ane lettre, writtin be youre maieftei vnto him, quhairby youre maieftie fand fault that thair wes not ane finall

^{*} Sir John Cockburn of Ormiston did not die till the month of June in the ensuing year. He was succeeded as Justice Clerk by Sir Archibald Napier, the first Lord Napier.

ansuer returnit vnto youre maiestie, concerning the propositioun maid be voure maiestie, that the woll of this kingdome, not draiped and wroght at home, might be fend to England and fauld thair, and no where els; and thairfoir defiring that this ansuer might with diligence be fend vnto youre maiestie. We ar forie that youre maiestie hes tane offence for this caus, feeing thair wes nothing omittit be ws, that in a mater of this kynd, wherin the whole eftate hes fuche intereffe, could conuenientlie be done; ffor, vpoun the refett of youre maiesteis first lettre, in the moneth of September laft, we write for a nomber of noblemen, baronis, and burgeffis, whome we thought to have cheif intereffe in the bufynes, willing thame to be heir vpoun the 28 day of Nouember last, to have gevin thair aduife and opinioun to ws thairanent. Whilk dyet being keepit be fome, and neglectit be otheris, the few nomber that convenit excuisit thame felffis, that thay could do no thing thairin, pretending that the importance of the mater, towcheing fo neirlie the whole bodie of the eftate, requirit a more frequent meeting of fome special personis for euerie estate, oute of the feuerall flyris of this kingdome, where the vfe of woll is most in requeift. And fo that dyet haueing defertit, without ony certane conclusioun or refolution, thair wes a fecund meeting appoint to be heir at Edinburgh, vpoun the xiiii of this inftant, and a grite number of perfonis oute of the feuerall thyris of this kingdome wer writtin for to this effect. This dyet hes beene weele keept be all thefe that wer writtin for (fome three or foure onlie except), and thay ar all prefentlie attending, and hes thair meeting is and conference euerye day vpoun this fubiect, and hes promeift to gif thair anfuer and opinioun thairanent, with the reflonis and warrandis of thair opinionis vnto ws, vpoun Twifday nixt, the xxi of this inftant; vnto whilk tyme we will humelie befeeke youre maiestie to haif patience, and not to imput the caus of this delay vnto ws, who, in a mater of this kynd, coniovned with the publict intereffe of the eftate, could vie no gritair diligence; and vpoun Twifday, God willing, quhen the reporte of thair opinionis is maid vnto ws, youre maiestie salbe sullie acquentit with the progres of the buffynes, wherin no thing falbe wanting in ws quhilk may procure youre maiesteis full contentment and satisfactioun.

praying the Almightie God to preferue and bliffe youre maieftie with the continewance of mony lang and happie yeiris, we reft

Youre Maiesteis most humble and obedient fubicetis and feruitouris.

GEORGE HAY.
MELROS.
MORTON.
LAUDERDAILL.

ROXBURGHE. CARNEGY. W. OLIPHANT.

Edinburgh, the xvi day of Januair 1623.

To the King his most facred and excellent Maiestie.

CCLXXXVI.EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My verie Honorable Lord,

I RECEIVED your Lordships two letters of the nynt, and delivered in Sir James Bailies owne hand, your other two fent to him, as ye defired; and being vrged by Alexander Maxuell to haste two masses of letters to the Earle of Niddisdaill, I have advertised Sir James Bailie therof, that if your Lordships letters requyre speedie answer, he may make vse of the occasion. My lord of Santandrois had from me the like advertisment, who has promised to write. I have not yet heard of Harbert Maxuels coming to this cuntrie, to which time no thing can be done in Lochinvars busines. I will not repeate what I wrote in my former letters, nor fay any farder in the mater of the greevances, but remit it to tryell of oure mans behaviour therin, wishing no greater happines to my felf in maters of that kynd, but that evrie mans cariage were truelie related to his maiestie,

being refolued to fludie fo to proceed, that I may be anfuerable to God and his maieftie, of my faithfull intention and endeuours, in maters concerning his maiefties feruice, the good of the cuntrie, and the lawfull contentment of particular parties, who, having contrare ends and interefts, can not be all pleafed; and many of them, being difapointed of thair vniuft defires, vent their malice by mifinformations and calumnies, but honeft men must rest vpon honest doings, and his maiesties wisdome and protection, and beseech God long to grant them that sheild, as I pray that he may give yow health and happines, I rest

Your Lordships affectionat friend to ferue yow,

Melros.

Edinburgh, 21 Januar [1623?]

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCLXXXVII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refeate of youre maiefteis lettres, of the xviij of December laft, whiche come to oure handis vpoun the fecund of this inftant in tyme of vacance, whareby youre maieftie wes pleafed to fett doun to ws a cleir reule how we fould deale betuix the Dunkirk and Holland fhippis, lyand at Leethe and Abirdeene, to wit, that the prifonnars in the Dunkirk fhippe at Leethe fould be releeued, vpoun affurance to be gevin be the Hollanders, not to trouble thame in thair voyage home,

fo mony of ws as wer in the towne convenit, and fend for the baillies of Edinburgh, as the perfonis whome we thought fittest to imploy in that buffynes, and directit thame to go to Leethe, and deale with the captaine of the Dunkirkair, that he wald releene his prifonnaris, vpoun the conditioun and affureance foirfaid. Whilk charge being performed be the baillies, thay returnit we this ansuer, that the captaine could not deale nor capitulat vpoun these termes, without a warrand and directioun frome the King of Spayne, his maitter, of whome he had a speciall charge to tak, bot not to delvuer prifonnaris, without ranfoum. And fo that point haueing failled, vpoun the refufaill of the Dunkirkair, we thoght it needles to propone the other to the Hollandars, but directit chargeis, with ane herauld and trumpett, aganis thame, for delyuerie of thair faillis to one of the baillies of Edinburgh within xxiiii houris, under the pane of youre maiesteis heigh offence and displeasour, to the intent the Dunkirkair, conforme to the custome of nationis, might haif the preuilege of tua tydis for hir faulf outgoing. This charge being execute, and with all due respect acceptit be the captaines of the waughtaris, thay promeift to gif ansuer within the tyme appointit for thair obedience; afoir the expyreing whereof, thay, for a showe of obedience, went oute of the harborie to the raid, where thay lay till the xviij of this inftant, youn whilk day, one of thame returnit to the harborie, quhair sho prefentlie lyis, and the other lyis flill at anker in the raid. The lyke charge being execute aganis the eaptaines of the waughtaris at Abirdeene, by ane herauld, with his difplayed cott of armes, the captaine of the principall shippe, eallit the Admirall, gaif his anfuer, that he wes prefentlie in reddynes to go to the fea, and that he intendit to wey and go out of the harborie the nixt tyde, wind and wedder ferving, and to mak his addresse to Zeland with diligence, and fo he could not delyuer his faillis. The other tua captaines ansuerit, that thay wer directit heir be thair maister the Prince of Orange, to attend the Spanishe ship, that wes thair enemey, and wes putt furthe to wrak and fpoyll thair marcheantis, and that thay durft not. vnder no les pane than thair liues, delyuer thair faillis, nor no other pairt of thair shippis, without a warrand frome the prince thair maister, vnto whome the shippis, with thair whole furnitour, apperteyned. This being 3 Q

the effect and fubstance of all thair answeris, we humelie present the same to youre maiesteis consideratioun; and quhat forder youre maiesteis will haif to be done heirin, vpoun the fignificatioun of youre maiesteis will and pleasour, it salbe obeyit. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reignne, we rest

Youre Maiefteis most humble and obedient fubicctis and feruitouris,

GEORGE HAY. A. MAR. GLENCAIRNE. ROXBURGH. BUCCLEUCHE. Melros.
Lauderdaill.
Lothiane.
W. Oliphant.
J. Erskyne.

Edinburgh, 23 January 1623.

To the King his most facred and excellent Maiestie.

CCLXXXVIII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFTER the refeate of your maiefties lettre anent the woll, haueing, by oure formair of the xij of October laft, humelie prefented vnto youre maiefties princelie confideratioun, the reffonis induceing ws to delay the fending of commissionars to Lundone, for that purpois, till first we wer aduist thairanent with some personis for euerie estate, who, in a mater of this kynd, wherin thair interesse wes so important, could not be ouerseene, your maiestie wes gratiouslie pleased to allow of that shorte delay of tyme, whilk wes onlie to the 28 of Nouember last, wherunto a nomber of personis for euerie estate wer warnit to be present, of whome some haueing keept the dyet, and otheris being absent, and the mater being propouned

to thefe that connenit, with the best argumentis we could vie to procure your maiefties fatiffactioun, thay, after fome reafoning and conference amangs thame felffis, returnit ws answer, that the importance and confequence of the mater toweheing fo neirlie the whole bodie of the effate, bothe in fubiliance and confequence, required a more frequent meeting of the effeatis frome the fenerall flyris of this kingdome, where the trade and handling with woll is most vsefull; wherupoun thair wes a new dvet appointit to the xiiij of this inflant, and weele keept be all thefe that [wer] written for (fome three or foure onlie except, who, youn necessair occasionis, wer excused); and your maiesteis propositious and desire being at grite lenthe oppynned vp vnto thame, and bakkit with fuche reffonis, as, in oure opinionis, wer most aggreable to youre maiesteis intentionis, and thair request to be permittit to meete amangs thame felffis, and to confer and reafoun thairupoun, being granted, thay verie cairfullie and panefullie attendit that charge, and twyfe euerie day had their meetings, fometymes in publict, and other tymes euerie eftate be thame felffis, and the more thay dipped in the busines, finding more difficulty is and griter inconvenientis to enfew, thay humelie defirit fome three or foure dayis longer continewation to be aduyfed thairwith; whiche being also granted vnto thame, and that tyme being lykewayes diligentlie fpent ypoun this fubiect, in end, thay gaif in thair reflonis, in write, of the inconvenience of that propositioun, groundit vpoun the fensible and ineuitable evillis that it will produce, alfueele to the nobilitie and burrowis, as to the poore commonis, and labourars of the ground, who, by this occasioun, will not onlie be forced to cast thair rownes in thair maisters handis, wherethrow thay wilbe depryued of the meanis and poffibilite how to liue and to manteyne thair poore families, bot, with that, thay wilbe turned beggairs, and fo become ane havy burdyne to the cuntrey, especialie at this tyme, when the whole land is more fearfullie threatned with extreame penurie and want of victuall, nor in ony other bipaft yearis of oure memorie; and whilk is worfe, the cuntrie wilbe far waikned and spoylled of a great nomber of goode fubicctis, who, bothe with thair perfonis and purfis, wer formarlie contributaris in the publict affaires of the eftate; and it is weele knowne that the verie first brute and rumour of this intendit restreante, hes alreddie gevin prooffe of this inconvenient, in the perfonis of divers tenmentis, who, vpoun this occafioun, hes gevin ouer thair rownes, or forced thair maifters to diminishe thair rentis; als more particularlie youre maieftie will perfaue by the copie of thair reffonis, whilk we haif heirwith fend vnto youre maieftie. Quhilkis reffonis being at lenthe hard and confiderit at the counfell table, and every point and article thairof, with the groundis and warrandis of the fame, being narrowlie examined and difcuff, we, in our waik judgement, fand the reffonis to be fo pregnant, and the inconvenientis fo cleir and manifest, as hardlie could we mak ony obiectioun thairunto, bot ar conftrayned humelie to craue permiffioun to reprefent the fame vnto your maieflies heigh and excellent judgement, by whose vnfpeakable wifdome, and cleir feing iudgement, the miftereyis and doubtis that ar conceaued vpoun this fubiect may be vifibillie difcouerit, and your maiefties fubiectis, who, vpoun the apprehenfioun of this intendit reftraint, ar generallie towched with extreame feare and greif for the effectis of fo dangerous a propofitioun, may in fome meafour reffaue fatiffactioun; ffor we wilbe bauld to affure your maieftie, that the feare wherewith all men ar generallie poffest in this mater is fo extreame, that the lyke hes not occurrit thir mony yeiris ago in this kingdome. And yf we wald prefoome be oure felffis, without the confent of the efteatis, to fend commiffionars to treate and conclude vpoun this fubicet, without ony refpect to thame, whiche, neuirtheles, yf fo your maiestie be pleafed absolutlie to command, we will humelie obey, we must beg pardoun to declair, that we fie euidentlie, that we shall incur the sclander and generall haitrent of the whole cuntrey, as confentaris to that vniuerfall harme, whiche, thay ar perfuadit, is maid vndeniablie manifest to euery one of ws be thair difcourfes and thair articlis in write. We ar not ignorant that your maieftie, by your royall power and prerogative, may command that to be done whiche, out of your gratious refpect to this your native cuntrey, yow have beene pleafed rather to fufpend, till your maiestie wer informed of the opinionis and reafonis of your faithfull people; and yf thay, being now infinuated to your maiestie, do not appeir sufficient, oure submisse aduyce is, that your maieftie might rather be pleafed to fignifie to ws the meanes whereby the courfe of fole transporting of all oure wolls, not draped in this kingdome to England, may be showne to oure people not to tend to that irreparable loffe whiche thay vehementlie apprehend, nor to inioyne a preceis

and prefent performance of the defire of our nighbour cuntrie, that our people, being thairby cleired of thair miftaking, and fred of thair fo extreame feare of infinite prejudice, may by reafoun be convinced of thair errours, and induceit to a hairtyie obedvence. To fend commissioners to treat, earveing a refolution not to conclude, appeiris more likelie to croffe the buffynes and offend the pairtyis, nor to bring it to ony goode conclufloun; nather expect we, that ony commissionars to be fent, will undertak the charge, with intentioun to exceede the particulair inftructionis to be gevin to thame, not thinking thame felffis capable to furneis replyis beyond the informationis gevin to thame. Laft, yf the purpos it felf wer more indifferent and les dangerous nor it appeiris, no tyme could be chofin fo vnfit for treating of it as the prefent, qubill we ar fo deftitute of vi&uall of oure awne, and moneyis to buy the forayne; and thairfoir, albeit your maiestie think the mater probable, the tyme, in oure weak judgment, appears extreamelie vnfitt. All whiche we must humelie submitt to your maiefties most excellent judgement, onlie requeifting that your maieftie wilbe gratiouslie pleased to accept in goode pairt oure faithfull endevoiris heirin, wherein no thing wes omittit be ws whiche to the duetie of goode and faithfull feruandis apperteyned. And fo, praying the Almightie to watche oure and protect youre facred persone, and to bliffe your maiestie with mony lang and happie veiris, we rest for euer

Youre Maiesties most humble and obedient fubiccis and feruitouris,

GEORGE HAY.	CARNEGY.	Lauderdaill
Roxburgh.	GLENCAIRNE.	Cranstoune.
MELUILI	Buccleuche.	J. Erskyne.
A. Mar.	W. OLIPHANT.	AR. NAPER.
Melros.	LOTHIANE.	

Edinburgh, 23 January 1623.

To the King his most facred and excellent Maiestie.

CCLXXXIX .- EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My VERIE HONORABLE LORD,

Becaus I have been ane ey witnes to Maister Thomas Nicolfons kind readines to take burding in your lordships affaires, when the earle of Winton and others, of great place and respect, were parties, or had interes in the contrare, I think it my dutie to remember it when his affaires requires your lordships help, as now ane particular concerning the heritable gift of poftmaifter at Cokbrunfpeth offers occasion. The only obiection that is made, is his maiefties vnwillingnes to make heritable offices; but he feekes no office, but only a feruice, without pouer, or iurifdiction, or commandement, wherby he and his aires will be fubiect to ferue his maieftie and his fubiects. When I dailie find the preiudice of his maiefties feruice by the defaults of poftmaifters, I wish that all the stages in Scotland and England were affured of feruice by fuch men as he is; for when I regrate or compleane of the postes faults, I am forced to defift, when I heare that, wanting there pay, and not having meanes of there awne, there pouertie must be accepted for excuse, which his sute will remoue for that ftage, and procure affurance of good feruice to his maieftie for his part. All his benefite will be to frie his tennents duelling there, from the danger of oppression of powerfull nighbours; and since I have knowne much of his affection to do your lordship heartie feruice, I will pray your lordship let him find the frutes of your lordships goodwill in this particular, as an earnest of the like fauour, when he fall have a better turne to do. So, wishing your lordship all happines, I rest

Your Lordships faithfull friend to ferue yow,

MELROS.

Edinburgh, 25 Januar. [1623?]

To my verie honorable Lord, my Lord Vicount of Annand, at Court.

CCXC.-EARL OF MELROS TO THE VISCOUNT OF ANNAND

My VERIE HONORABLE LORD,

I HAVE received your lordships letter, concerning onlie your lordships lands of Theruik, and your decreit aganis Capten Johnston, wherof I have spoken to Maister Thomas Hope, who has promised to sie the estate therof, and prosecute the order, as also that he fall compeir in any action that may concerne these lands, to the effect your lordship may be secure by your owne rights, and be frie of any other mans danger or courtestie therin. I know the thesaurar depute and advocat will assured the obey his maiesties command in the action wherof your lordship writes, and I sall discharge the dutie I owe for his maiesties interest, and your lordships, to my power.

I have heard that my lady Rofs, elder, hes dealt with Robert Home to befriend her in the blok of Bagone, and promifed to be thankfull to him if the prevaile in it. I am also informed, that the reversion is not so expyred but that Bas, or others having right for him, may get it supplied and made valide; which I have thought fit to advertise according to my dutie, which fall make me ever to remaine

Your Lordships affectionat freind to ferue yow,

Melros.

Edinburgh, 30 Januar. [1623?]

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCXCL-EARL OF MELROS TO THE VISCOUNT OF ANNAND

My VERIE HONORABLE LORD.

Maister Thomas Hope having told me that he would perfew your emoving, but if the improbation concerned your lands, he could not ferue yow in that caufe, be reason he wes imployed by the other partie to make his fecurities, and to forme his fummonds of improbation, which cannot permit him of dutie to refuse to affift him, whervoon I willed fir James Bailie to deale with Mr Thomas Nicolfon, and, if he have any laufull excuse, some other of best fort will be imployed. I believe that the thefaurar depute and adnocat will do their dutie, as they are commanded by his maiefties letter. Sir James Bailie told me, that Mr John Pape had offered to affigne to your lordfhip his compryfing and right of Bafs his lands, vpon reafonable condicions; wherein my opinion is, that if your lordship find Bafs willing to bargaine fairelie with your lordfhip, ye embrace not any offer of this kynd to fkarre him; but if your lordfhip find in him either vnwillingnes or flifting delayes, without hope of reall dealing upon his part, ye may remit to your friends and lawers the confideration of the fecuritie which may be had of these lands, if ye have ane intention to purchafe them, by whatfocuer laufull meanes may be offered. And fo, if your lordship be out of hope to fettle with Bas, and defire other meanes to attaine to the bargane, none can feeme fo fit as to agrie with the compryfars and others, who have good wodfets; which I remit to your lordthips confideration, and vpon knowledge of your lordthips refolution, I fall give all the affiftance that can fall in the pouer of

Your loveing affectionat friend to ferue yow,

MELROS.

Edinburgh, 6 Februar [1623?]

After wryting heirof, I haue receiued from Mr John Olifant the bufkins and gloues, wherby your lordfhip hes armed me againft the extraordinar cold of this feafon, which oblifes me to imploy hands, feet, and heart and all, to performe your lordfhips commandments.

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCXCIL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE.

According to your maiesties direction of the xiiij of Januair last, the captanes of the Dunkirk and Holland shippis, lyand at Leethe and Abirdeene, being chargeit to the xj of this inflant, the buffynes wes conuayed and carved with fuche fecrecie, as nane of ws, bot thefe whom your majeftie trufted thairwith, knew of the fame, till it wes broght to the counfell table, guhen the pairty wer to gif thair comperance. The Dunkirk captanes keeped the dyet; the Holland captanes at Abirdene fend thair excufe in write in the Flemis language, the copie quhairof, treulie tranflated (althought vnworthie of your maiefties fight), we haif heirwith fend vnto your maiestie. One of the Holland captanes at Leethe compeirit lykewayes, whose ship lyis in the harborie, and he excuisit the absence of his collig, who is his admirall, and lyis in the raid, be reffoun of feeknes. We first delt with the Dunkirk captanes, and proponned vnto thame your maiefties ouertour anent the furetie of thair depairtour and previlege of tua tydis, vpoun conditioun of delyuerie of thair prifonner, quhairunto thay acquiesceit. Thairefter we maid this fame propositioun to the Holland captane, whilk, we enforced with fuche reffonis, as we thought fitteft to cleir your maiefties doingis, to be aggreable to iuftice, and to thefe respective dewteis of honnour and correspondence whiche your maiestie indifferentlie keepis with all your freindis and confederatis, and whereunto the cuftome of nationis in materis of this kynd dois ansuer. His first obiectioun wes anent the ranfoum of the prifonnars alreddy releved, allegeing that no thing fould be procedit in this buffynes till thefe ranfoms wer repayit; and one Dauid Jonkeene, marcheant in this toun, who advanceit the ranfoms, and hes a procuratorie for repetitioun of the fame, produceit three bandis, under the fignett of Peter Vanverrane, captane of the Dunkirk thip at Leethe, proporting, that yf your maiestic fould fend ony adnife or directioun anent the releif of the prifonnars, or ony of thame, that he fould pay bak the whole ranfoms. Thir bandis being flowne vnto the captane, and the performance of thame inftantlie vrgeit, he acknowlegeit the bandis to be his awne, bot declynnit the redelyuerie of the ranfoms without a warrand frome the Infanta, or the Spanishe ambassadour, refident with your maieftie: whilk being proponned be ws to the Holland captane, and he vrged with a prefent ansuer of obedience or refufall, he excufit him felf vpoun the abfence and feeknes of his admirall, lyand in the raid, and defirit xxiiij houris continewatioun to be confultit and aduifed with him thairanent, promiffing that thay fould bothe come and gif thair anfuer (yf the healthe of the admirall wald permitt). This fhorte delay being grantit, and the dyet keept be the captane, he maid his formair excuse vpoun the feeknes of his admirall, and still insisted vpoun that point anent the ranfoms; wherupoun, he being demandit yf he and his admirall, and thair colligis at Abirdeene, wald gif obedience incais the prisonner wer releeued, and the ransoms payit bak, and guhat affurance thay wald gif for that effect, he declynned the geving of ane prefent anfuer, and defirit a note of the propositioun in write, to the end he might communicate the fame to his admirall, and be adulate with him thairanent, promissing to gif answer vpoun the morne thairefter; in whilk point being lykewayes fatisfeit, and no forder delay being expectit, he returnit ws this

anfuer, that thay durft not medle in that mater without the adulfe of thair colligis at Abirdeene, who had equall intereffe with thame in the buffynes, and thay promeift to reporte a direct ansuer, bothe from thair colligis at Abirdeene and for thame felffis, vpoun the xxv of this inftant. Wherupoun, we haueing enterit in confideratioun quhat wes nixt to be done, and haueing respect thairwithall to your maiesties princelie command and directioun, the effectuating wherof to your maiefties honnour and credite of the cuntrey wes earniftlie withed be ws, yitt, we could not foirfee how the fucces could prove an fuerable to your maiefties contentment; ffor yf we had arrefted this one captane who gaif his compeirance, his admirall, who is lying in the raid, and who is ftronger and more pouerfull nor he bothe in men and mynition, and thair colligis at Abirdeene being loufe and free, the detentioun of him wald in no caife haif infured the tua Dunkirkars, nor maid thair departour frome henfe free and peceable: and it is lyke aneugh, that youn this occasioun the shippis of this cuntrey, who ar bothe ritche, and mony of thame oft tymes in the Lowe Cuntrevis, wald haif vnderlyne fome trouble, it being weele knowne that one of oure fhippis that tradis in Flanders is worthe foure of the best Holland shippis that comes heir; and we haveing foundit the opinioun of the baillies of Edinburgh, anent the executioun of that point of your maiefties directioun whilk concernit thame, thay pretendit bothe difficultie and danger in the mater, and hardlie wald thay haif bene induceit to vindertak fuche a charge. The confideration wheref moved we to yield to the faid continewation till the xxv of this inflant, and we haif fend new chargeis to the Holland captanes at Abirdeene to keepe this dyet, with a directioun to the magiftrates of Abirdeene to caufe this charge be execute, and the fubftance of the fame to be delyuerit to the captanes in thair awne language, that thairby no new friuolous excufe be pretendit vooun that occasioun. And fo, humelie befeeking your maiestie to accept in goode pairt oure simple endeuoiris in this buffynes, wherin the tender regaird of your maiesties honnour, the credite of the cuntrey, and the difficultyis to bring your maiefties directioun to the wished end, wes the onlie cause induceing ws to this continewatioun. We pray God lang to preferue your maiestie in healthe and happynes, and we rest for euer

Youre Maiesties most humble and obedyent fubiestis and feruitouris.

GEORGE HAY.
MELROS.
R. COKBURNE.
J. HAMILTON.
A. MAR.
LAUDERDAILL.

W. OLIPHANT.
A. HAMILTON.
ROXBURGH.
CARNEGY.
KILSAYTH.
J. ERSKYNE.

Edinburgh, xv February 1623.

To the King his most facred and excellent Maiestie.

CCXCHI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By youre maiesteis lettres of the fyft, whilk come to oure handis the xiij of this instant, we perfaue, to oure exceiding grite greiff, that youre maiestie hes tane offence at the delay of fending vp commissionaris

to treate vpoun the mater of the woll, fo cairfullie recommendit be youre maieflie vnto ws; and oure regrait is fo mutche the gritare, that the finceritie of oure most faithfull and humble affectioun to youre maiesteis feruice, hes not produceit the effectis wished be ws, of youre maiesteis gratious acceptation, according to oure fincere intentionis, onlie refpecting youre maiefteis hounour and goode of oure cuntrie, wherein the monyfauld prooffis of youre maiefteis faderlie cair, ever watcheing and prouyding for the happynes of this effate, affuris we that your maieftie will ever accept gratiouslie all that tends to the same, and vindicat ws from the haitfull conceptioun of ony courfe tending to the contrarie. And we will humelie beg pardoun to protest vnto youre maiestie, that thair never enterit onv fuche diflovall thoghtis in oure hairtis, as myght infer ony fufpitioun of voure maiefteis neglect thairof, oure awne confcienceis beareing ws witnes, that yf we had offendit in that kynd, oure erroure had beene bothe wittinglie and willinglie, aganis the light of oure knowlege; nather did we abfolutlie refufe to fend up commissionars, bot, in all submissione reuerence, reprefented vnto youre maiestie the seare and greevis of youre maiefteis fubicetis, and oure fimple opinionis how thair miftaking and feare might be obtaint and cleired by youre maiefteis cleir and excellent indgement, that thairby, thay might with reafoun haif bene induceit to a more hairty and willing obedyence: offering our felffis neuirtheles reddy, be oure lettre of the 23 of Januair laft, to gif youre maieffic contentment, by making choife of commissionaris for the faid treatie, youn the first returne of voure maiefteis pleafour; lyke as, how foone youre maiefteis lettre come to oure handis, we maid choife of the duke of Lennox, the marques of Hamiltonn, the earlis of Kellie and Carlile, with the laird of Balvaird, and Mr Johnne Hay, to treate of this buffynes. The laft tua will, God willing, begin thair iornay within eyght dayes, and will mak fuche diligence thairin as possiblie thay may. And fo, most humelie befeeking youre maieflie to haif a gratious and fauourable confiderationn of oure procedingis, and of the finceritie of oure affectionis to youre maiefteis obedyence, whose contentment, in euery thing belonging to ws, and to the trufte that youre maiestie hes reposed of youre affairis in ws, is more



pretious and deir vnto ws nor ony thing els, we pray the Almightie God to bliffe youre maieftie with mony lang and happie yeiris, and we reft for ever

Youre Maiesteis most humble and obedient fubicctis and feruitouris,

GEORGE HAY.
MELROS.
R. COKBURNE.
A. HAMILTON.
A. MAR.
LAUDERDAILL.
W. OLIPHANT.

J. Hamilton. Carnegy. Kilsayth. Roxburghe. J. Erskyne. Meluill.

Edinburgh, 15 February 1623.

To the King his most facred and excellent Maiestie.

CCXCIV._THE LORDS OF PRIVY COUNCIL TO KING JAMES VI

MOST SACRED SOUERANE,

According to youre maiefteis directioun, we had maifter Williame Kellie befoir ws, and earniftlie delt with him to make furrender of these landis boght be him frome the earle of Huldernes, and quhilkis youre maiestie gisted to the said earle, in rememberance of that worthie service done be him in the treasoun of Gourye; and we shew vnto the said maister Williame, that youre maiesteis purpois, and the intentioun and meaneing of youre esteatis, in the granting of these landis to the said earle, wes, that the same sould haif remanit with him and his posteritie, as a pleadge and

taikine of your maiesteis bontie and fauour for so notable a feruice: bot seeing now the said earle had disponit the saidis landis fra him and his posteritie, sua that the rememberance of youre maiesteis princelie bontie in that mater ceassis, youre maiestein had verie goode reason, in honnour and instice, to returne to youre awne landis (paying to the said maister Williame the sowne that he gaif for thame); and we haueing vrged him with a present answer, he declairit that he wald fend his answer to the said earle of Huldernes, fra whome he doubteth not bot youre maiestei will ressauce fatisfactioun. And so, praying the Almightie God to blisse your maiestei with a lang and happie reignne, we rest for ever

Youre Maiesteis most humble and obedyent fubiectis and seruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.

Edinburgh, xv February 1623.

To the King his most facred and excellent Maiestie.

CCXCV .- THE LORDS OF PRIVY CO UNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

This nobleman, the Lord Coluill, haueing a purpois to go to France, and be the way to kiffe your maiefteis hand, for folliciting the reeftablisheing and erectioun of the Scottishe gaird and Scottishe companie of men at armes, according to thair first institutioun, and the Franshe king his promeis of tymes made to that effect, the faid lord, for the

better advancement of the buffynes, hes maid earnist fute vnto ws, that we wald not onlie recommend him and this his honnorable purpois vnto your maiestie, bot thairwithall that we wald intreate your maiestie to accompanie him with your awne lettre to the Franshe king for the furtherance of the mater. We haveing at lenthe hard him vpoun this fubiect, and acknowlegging his generous difpositioun and tender respect to the credite of his natiue cuntrey, and preferuatioun of the preuilegeis of the fame, for procureing whereof, he weyreis not now, in his auld aige, to vndertak fo lang and dangerous a iornay, we all allowit of his motioun, and will prefoome humelie to recommend him to your maiefties gratious and fauourable acceptance, and will crave permissioun to intreate your maiestie, that, after conference with him felff vpoun the probabillity is and likliehode of this his purpois, your maieftie wilbe pleafed to accompanie him with fuche lettres to the Franshe king, as your maiestie, in the excellencie of your princelie wifdome, fhall holde fitting; and we ar perfuadit thair wilbe no thing wanting in the nobleman, whereby his trauellis and endevoiris in this mater may bring the fame to a goode conclusioun. And fo, with the continewance of oure vnceffant prayars vnto God for your maiefteis lang and happie reignne, we reft for ever

Your Maiesteis most humble and obedient subject is and feruitouris,

GEORGE HAY.
MELROS.
J. HAMILTON.
A. MAR.
LAUDERDAILL.
A. HAMILTON.

W. OLIPHANT CARNEGY. ROXBURGHE. MELUILL. KILSAYTH.

Edinburgh, 20 February 1623.

To the King his most facred and excellent Majestie.

CCXCVI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING by oure formar lettre, of the xv of this inflant, acquentit voure maiestie, that we had maid choife of the Duke of Lennox, the Marques of Hamilton, the Earlis of Kellie and Carlile, and of the beararis heirof, the Laird of Balvaird and Maister Johne Hay, for the treate anent the mater of the woll, we layed this charge fo hardlie vpoun thir tua last personis, and vrged thame with the necessitie of suche a quick and speedie depairtour, that thay wer forced, notwithstanding of mony laughfull impedimentis, notour vnto ws, to vndertak the charge, without haueing convenient tyme and laifer to be confultit and aduyfed with the particularis that the importance of fuche a buffynes required; wherein feeing the schortnes of tyme hes prejudgeit thame of the helpis and informationis that wer necessair for this treatie, we mon be bauld, in all reverence, to crave of youre maiestie, that this defect may be suppleed by youre maiesteis rare and excellent judgement, and that youre maiestie wilbe gratiouslie pleased to assist thame with suche light and directioun, in the conduct and handling of this mater, as youre maieftie, oute of youre princelie and tender regaird of the weele of this youre antient kingdome, shall think meete, quhairthrow thay may be encouraged and ftrenthned to go fordward in the treatye, with fuche dexteritie and foirfight, as may procure youre maiefteis fatiffactioun, and the credite and weele of this cuntrey. And fo, in finceritie of most humble and submiffiue affectioun, praying the Almightie God to watche ouer youre facred perfone, and to bliffe youre maieflie with a lang and happie reignn, we reft for euer

Youre Maiesteis most humble and obedient fubiccis and feruitouris.

GEORGE HAY.
HAMILTON.
R. COKBURNE.
A. MAR.
ROXBURGHE.
MELUILL.

MELROS.
W. OLIPHANT.
LAUDERDAILL.
KILSAYTH.
CARNEGY.
J. WEMIS.

Edinburgh, 22 February 1623.

To the King his most facred and excellent Maiestie.

CCXCVII.-EARL OF MELROS TO KING JAMES VI.

Most Sacred Souerane,

The letter wretin by James Douglas, by youre maiefties direction, to the Lord Chancelar and me, aduertifing ws of his highnes fuddaine journay to Spaine, being fent by my Lord Chancelar to me, I no fooner vnderftood thereby your royall pleafure, that finifter rumours of that vnexpected refolution might be fuppreffed, and als litle fpeech of it difperfed as could be, but forefeing that fermons were to be made the next

day, in all the churches of this towne, I prefentlie fent for Maifter Williame Struthers, and directed him to warne all his colleagues to forbeare all mention of that mater, till, by better occasion of knowledge of your maieflies will, they might understand how to behave themselves dutifullie. in a pourpose of such moment. And incontinent therefter, I dispatched to the archibifhops, to take the like order with the ministers of there prouinces, which wes all, that, in a cafe fo much perplexing my mind, I could conceiue to be most sit to effect your maiesties pleasure; albeit I feare it fall not wourk fo fullie as I could wish, because the abuse of the posts, of whose flownesse I have many times compleaned, hes, in this occasion, ansuered my apprehension: for that letter fent to ws, being directed from Newmarket, by packet, for life, the 21 of February, at eight at night, came not to me till the first of March at fix at night, the information of his highnesse journay being knowne heir too dayes sooner, alswell by letters from London, as by relation of fuch as came from London to this towne by fea, by which meanes the rumour being fo difperfed, nothing now refleth, but to make the best constructions that may be thought of, till we fall know your maiesties particular directions, which I humblie defire may be with diligence. And in the meanetime, I fall adde to my inceffant prayeris for your maiefties long and conftant profperities, my faithfull and heartie petitions to God, that his highneffe journay, fraughted with our feares for the great trauell and manifold dangers incident to that paffage and returne, may tend to his honour and fafetie, and your maiesties contentment, and fall, till my death, remaine

Your facred Maiesties most humble, faithfull, and bund subject and feruant.

MELROS.

Edinburgh, 3 March 1623.

To the Kings most facred Maiestie.

CCXCVIII .- EARL OF MELROS TO LORD VISCOUNT ANNAND.

My VERIE HONORABLE LORD,

I received your lordships letter of the fourt, with the submission exped, wherby your lordship hes expressed uerie generouslie your conficientious intention in that question; and if the pairtie answer it not with all reason and dutie, your lordship will reape greate advantage in the approbation of all honest men. I closed your lordships letters, and delivered that to the Earle of Roxburgh, who, after reading of it, most willinglie promised to be arbitour for your lordship, to attend the busines, and proceed by information of Sir James Bailie and your lawers. I gaue to Sir James Bailie the other, to be fent to the Earle of Bukcleugh, willing him to haste it with one of his oune, desiring him to come to the towne with diligence, to proceed and bring that mater to some end. Maister Robert Burnet told me, that a cosen of his, of his owne name, would supplie his absence. I have willed him to discharge the witnessis to come in upon the 22 day, which wes assigned to them.

I fpake with the Earle of Mar for your lordfhips precept, and finding, by his anfuer, how fmall hope there wes of moneyes, vrged that fo much might be advanced as might buy the materials which I vnderflood by the maifter of work to be necessair; but, before God, I sie little possibilitie at this time, inrespect of extreame scarcitie of moneyes, and infinit preceding burdings inioyned to the officers. The Vicount of Air wes gone before your lordship letter came. Lag is still heir. Maister Robert Burnet hes sent to stay the witness. As occasion fall be offered, your lordship fall be farder advertised by

Your Lordships obedient friend to ferue yow,

Melros.

Edinburgh, 12 Merch, at night [1623.] To the verie good Lord, my Lord

Vicount of Annand, at Court.

CCXCIX:-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Youre maiefties lettre of the fevint of August last, towcheing the cancelling and deleiting oute of the bookis of preuie counfell, the exemptioun grantit to the Laird of Johnnestoun frome the Earle of Nithifdaill, his commissioun and iurifdictioun ouer the middleshyris, come not to oure handis till the 28 day of Januair thairafter; and after that we had confiderit thairof, and of the reffonis induceing ws to grant the faid exemptioun, wherein, we had no other respect bot your maiesties obedience, the peace of the cuntrey, and the preuenting of occasionis, whilkis might walkine and fleir vp new troubles; and remembering thairwithall, that the earle himfelf wes prefent at the granting of this exemptioun, and hard to obiect aganis the fame, and who in a maner acquiefceit thairunto, we thoght the mater to be of that importance, that it required the laird his awne prefence and heiring, and thairfoir we appointit him that day eight dayis to compeir and anfuer; whilk dyet being keept be him, we propouned and flew vuto him the equitie of your maiefties command and directioun, groundit vpoun the reconciliatioun maid betuix the faid earle and him, whereby all oceafionis and fufpitioun of partiall and wrangous proceding is on the faid earle his pairt wer remoued, and that your maieftie wes fo far perfuadit of the faid earle his honnorable behauiour and cariage in that buffynes, and that, by his vpright procedingis, he wald to labour to fofter your maiefteis goode opinioun of him, as he will stryve to merite your maiesteis forder fauour; wherunto the faid laird gaif his answer in write, proporting, in substance, that althought he distrustit not the honnour and eredite of that nobleman, and wald tak no exceptioun aganis him, bot could weele rely vpoun his faithe and honnour, vitt the malice of certane his freindis and followars aganis fome of the name of Johnnestoun, wes als freshe and violent at this tyme as

at ony tyme frome the beginning; and for prooffe thairof, he gaif tua inftanceis of wrongis committit aganis fome of his freindis, be Johnne Maxuell, callit of Castelmilk, one of the special persons whome the faid earle hes entrufted in the executioun of fome point is of feruice, concerning the faid commissioun. The first thairof, committit within the burgh of Drumfreis, on a mercatt day, aganis a feruand of the laird of Wamphrais, who wes fehote through the thie with a piftoll be the faid Johnne Maxuell; and the other committit aganis Williame Johnnestoun of Locarbie, who wes perfewit be the faid Johnne, in his awne house, vnder filence of night, and his man, Alexander Harknes, deadlie hurte. tua pointis being referrit to the lairdis probatioun, and a terme affignit to that effect, in the moneth of Februair last, that dvet defertit vpoun the faid Johnne Maxwell his abfence, and a new term and dyet wes appointit to the xxvii of this inflant; whilk duet being keept be bothe pairtyis, the laird referrit the tua pointis foirfaidis to the faid Johnne his oathe of veritie, who, being deiplie fworne, deponit anent the first point, That he being in the burgh of Drumfreis the tyme libellit, and rydeing home with ane other gentleman, through Lochmaben streit, thay rancounterit accidentlie, in the narrow vennell, with fome of Wamphrais feruandis; and the gentleman and that haveing fallin in fome altercatioun of wordis, and fra wordis to ftraikis, the faid Johnne lighted and drew his fwerd, and thair wes fchoitis and ftraikis on ather fyde. And anent the other point, concerning Will of Locarbie, he declairit, That he being informed that one Huntair, a fugitiue, wes in the faid Will his house, he went thair to feeke him, and, in your maiefties name, commandit the yettis to be maid patent vnto him; and this Harknes comeing oute, and preaffing to flee away, and the faid Johnne fulpecting him to be the fugitive, he followit him, bot knowis not yf in the following he wes hurte. This being the effect and fubftance of the faid laird his anfuer, aganis the recalling of the faid exemptioun, and of his verificatioun of the fame, in maner foirfaid, befydis fome verball difcourflis, whilkis he had at the bar, all importing a vehement feare that he apprehendis, yf ony of the faid earle his freindis and followaris, falbe armed and cled with your maiefties royall poner and authoritie ouer him and his freindis, for whome he is answerable to

exhibite thame to thair tryall befoir the rest of the commissionaris, at ony pairt outwith the burgh of Drumfreis, we humelie present the same to your maiesties consideratioun, and quhateuir youre maiestie falbe pleasit to command thairin, vpoun signification of youre maiesteis royall will and pleasour, salbe obeyit. And so, praying God to watche ouer youre facred persone, and to prolong your blissed reignn with mony happie yeiris, we rest for ever

Youre Maiesteis most humble and obedyent fubicctis and feruitouris,

GEORGE HAY.
MELROS.
R. COKBURNE.
J. WEMIS.
A. MAR.

LAUDERDAILL.
W. OLIPHANT.
LOTHIANE.
CARNEGY.

Edinburgh, the last of Marche 1623.

To the King his most facred and excellent Maiestie.

CCC.—THE LORD CHANCELLOR AND EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

We have this day received your maiefties letters of the 25, directit to your maiefties thefaurar, advocat, and ws. They being abfent in the cuntrie by occasion of the vaicance, we have wretin for them, and expect there returns in the beginning of the next oulk. We fall then impart the letters to them, and concur to the faithfull, fecret, and speedie

execution of your royall commandments, and give due and timelie accompt of our diligence. So, befeeching God to grant your maieftie many profperous and contented yeeres, we reft *

Your Maiesties most humble and faithfull fubicets and feruants,

GEORGE HAY.
MELROS.

Edinburgh, penult May [1623?]

To the Kings most facred Maiestie.

CCCL-EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

These thrie or foure dayes wee haue beene in an exercife, wherof the counfells lettre will giue your maieftie an true accompt, but I hope your maieftie will be gratiouslie pleased to pardone me, by relation of all circumstances, to performe the particulare charge of the place, wherewith your royall bountie had graced and trusted me. Vpon Sonday the fourth of this moneth, the Dunkirk shipp, whiche had long loitred in the harbrie of Leith, intended to goe to fea for their returne to their owne port; the experience of alevin moneths stay here gaue them saire opportunitie, to know the estate of oure harbrie, and the firth, and coaste adiacent; they had formerlie made to sea, but at their owtgoing of the port, leaving the visuall channell kepte by all other shipps of this cuntrie, and of the Hollanders, who, during that space, many times entred and went out to sea, they turned to the east hand, to a shald visible to evrie mans

[·] Autograph of Lord Melros.

eye, and their strikeing vpon ground, lay two tides vnder the marcie of two of their ennemies shipps; and so having lost the opportunitie of the heigh streame (the onlie time gevin possibilitie of their going to sea), wer, by help of your maiefties fubicats, towed back for their faiftie to the harbrie, where they flayed till Sonday laft, and then making owt in the night tide, leaving, as at their first essay, the ordinarie channell, they tooke their courfe as before, and strake vpon ground in the verie place of their first miffortune; whiche all think to have beene done of purpose to make thow (for fatiffieing, and in effect abuseing their princes) of obeying their comandement in their returne, and in effect to find pretexte of their flay here for eshewing danger of combatt; and many fay that their pilote, a Scottifman, having tolde them publictlie that the courfe commanded by them to be keipte by him wes their manifest vidoing, the captaine, drawing his fword, threatned to kill him, yf he went not the way commanded, whiche occasioned all that followed; and after they were by that meanes vndone, before they left their shipp, they strangled the pilote, leaste he fhould manifest their treacherous cowardife. The trueth of this wil be knowen, and shalbe advertised when the poore pilots murther compleaned of to vs shalbe tried. So soone as the Hollanders perceived their advantage, they drew neir, and beganne to perfew their ennemie with all hafte. My Lord Chauneellour, getting knowledge of the combatte begunne when he wes going to fermon, fent for the clarke of counfell and ane herauld. and directed a charge to the Hollanders to forbeare invalion within the beakin of Leith, and in the verie entrie of the harbrie, for the Dunkirkar wes not a pare of buttes lenth owtwith the peere. The water baillie of Leith could hardlie, after much diligence, move any boate to carie the herauld to the ftrangers; and when he come and yfed his office to the neerest Holland shipps, he obteaned no obedience. Soone after twelve a clock the Chauncellar went to Leith, with him the Clark of Register and I, fand the earles of Morton, Lothian, and Bukeleuch, and there, wee all refolued to renew oure charge, whiche being executed, the Holland admirall, being fardest from their ennemye, did forbeare any more shooting, but the other, to whome the charge wes first given, still perfifted in his difformation in and for long as the water ferved, he vied all

Many houres before that time, Sir James Makoneils baftard, and others with him, pretending a defire to haue help from land, eam ashore, but neuer offered to returne to their shipp. Two Heiland men, ftriping themselues naked, fwamme to land, vnder the perrill of their fhipps that directed against them, when the fea barred the Hollanders from further perfute, the whole Dunkirk kippage came to land, abandoning their shippe to spoile, onlie curious, as appeared, to fave themselues, their cloathes, fwordes, and mufkets; bot the rafealls of this cuntrie wer fo barbarous, as they fell to fpoyle fo mereileflie, as my Lord Chancellor and fome noblemen with him, being in the fands, could nather, by authoritie nor strokes, stay the diforder. Oure rafcalls entred the shipp and vfed fpoyle, and feeing fome Hollanders come in their boates, left the ship voyde, whiche wes feafed and furder spoiled by these strangers, who, having placed the Prince of Orange coulours, and made fuch havock as they pleafed, tooke downe the coulours, and retired to their shipp. Then the lords commanded fome of oure people to enter the shipp for hir fafetie, and directed charges, by proclamation, to the towne of Edinburgh, commanding them, vnder the payne of treafon, to put their people to armes to come to Leith, to obey the counfells directions, for your maiefties feruice; and fent Sir Archibald Naper to fie it obeyed, and to cause some cannon, with all furniture, to be broght from the eastle of Edinburgh with all diligence. Commanding alfo, by oppin proclamation, the baillies of Edinburgh and Leith to gett all the workemen of both townes, to bring downe the ordinance. Proclamation wes also made in Leith, that all who should dilate to the clarke of counfell any who had spoyled of the Dunkirkers goods or armes, or refet them, to bring them to the baillie to be reftored to their owners, under the payne to be repute theeves, rebelles, and refetters of thift, and promifeing to fuch as fhould dilate and furnishe probation, that the escheate of the offenders should be gevin them; but to this houre wee haue not found one. My Lord Chauncellar and all the noblemen watched all that night, and, feeing no appearance of convening of the people of Leith, wee gaue direction to a fervant of the clark of the counfell to goe with the baillie of Leith, to take the rolle of the names of fuch as came with armes to the baillie to ferve, that wee might therby know the abfents; and when the proveft of Edinburgh came verie late, to evill accompanied, as no true hart could fie without grief, wee gave the like command to inrolle thefe who accompanyed him: this night paffing without more fuccesse or harme, the ordinance being flowlie broght from the catlle for want of workemen, to have been furnished be the towne, wee fent of new two feuerall times to the Hollanders, craving affurance of their forbearance of furder invalion. In the forenoone, the one pretended irrefolution till he confulted with his admirall; and after wee had caufed caft trenches for the ordinance, and had it ready to ding upon one of the Hollanders lying in the dry 'ands, they draue tyme by delay of aunfwer, and lingring oure meffingers, till they had water to reteare from the danger of our ordinance, and then returned onre meffingers, without affurance of their obedience, intending, as wes thought, to have brunt the Dunkirkar in the nicht. In the meanetime, the proveft and baillies of Edinburghe returned, evill accompanyed, to Leith; and being preaffed to ferve and guard your maieffies cannon, pretending their priuiledge not to ferve, except within the bounds of their owne inrifdiction, and that the cannon wes planted owtwith their bounds, nothing could be obteaned but a promife to furnishe thriefcoir musketars to garde the cannon. and to releive their garde the nixt day, with the like nomber, under protestation that it should inferr no prejudice by this exemple. The counfell, relying upon that promife, and being wearied with their toyle of the preceeding two dayes and night, after order given for faiftie of the ordonance of the Dunkirk shipp, and bringing hir to the herbrie, went verie late to take some reft; but the Chauncellaur being extrem carefull to fie all dangers prevented, arofe foone after midnight, warned the others of the counfell to affift him to supplie some appearing disorders, and walking till day, and feing all perils paft till the afternoone tyde, went to Edinburgh. I having flaved at Leith, went to fie the eftate of the Dunkirk shipp, and diligence of thefe to whome the wes trufted; and finding that they wer able to draw furth and caft on the fands all the ordonance before allevin houres, folicited them to take paynes to repare the shipp, that shoe might be broght within the harbrie in the afternoone, promifeing them recompense of their travells to their owne contentment; and therafter going to fee the effate of your

maiefties cannon lying befide Sant Nicolas, fand ne liveing man attending them, but two of the ordiners of the caftle of Edinburgh, the reft of their nomber being gone to take their necessarie ease after much travells; and fo perceiving that (none of Edinburgh attending as they had vndertaken) two men might have clowed them, I prefentlie caused some who wer with me to take mulkets and pikes, whiche I had caufed bring from my houfe, and placed them to garde the ordonnance, whiche had beene committed to the keiping of the towne of Edinburgh, till my Lord Chauncellars returne, who, vpon my advertifement, returning speedelie, after some other neceffar directions, commanded all diligence to be vfed for bringing in the fhipp, whiche the preceeding day he had caufed feafe as your maiefties prife, and fet your maieflies coulours vpon hir, and finding necessitie of much help of well affected gentlemen, inrefpect of the vifible flacknes of others, to whom it more properlie belonged, he fett all dignitie afide, and being most hartelie affisted by the noblemen and counsellours before named, he not onlie commanded, but, for exemple, played the pioner to tow in the fhipp within the harbrie, whiche no travells then yfed being able to accomplishe, your maiestie will understand the finall event by the counfells letter. I know your maieftie will effend and admire the barbaritie of fome of our people, and difobedience of others, but I befeeche your maiestie to beleeue that the magistrats of Edinburgh haue taikin extrem paynes, and vfed the vttermoft of their diligence and authoritie, without fuccesse; for the trade of our marchants and mariners with Holland is so profitable to them, and necessare to the cuntrie, that these respects, ioyned with the opinion of conformitie of religion, and the diflike of the others for disconformitie in that poynte, hath so vniverfallie possessed our cuntriemen, with favour to the one and hatered to the other, as nather counfells nor magiftrats command or entreatie could procure any fervice; and yf your maieftie should preasse vs with curious recherche and condigne punisheing the difobedients, I proteft to God, I fie no probabilitie how wee could performe it; for where the nomber and power of the perverfilie disposed doeth infinitlie furpaffe the endevours of the faithfull and obedient, command turnes to encrease of contempt, and essay to punishe, may turne to violent refiftance; and yf my weake opinion may be propounded without your

maiefties displeasour, I wold wishe that meanes were found for monyes to be a floke or arazium belli referued to the levie of men, and furniture of prouifions, to execute all things concerning your maiefties authoritie and obedience, becaus, by this proofe, wee haue not to expect that proclamations will doe it, in any matter not gratious to the people; neither wold I withe that this fubicct flould be taiken hold of, fince the contempt of Edinburgh hath beene fo vniverfall, that when the magistrats of Edinburgh (their charges by their officers being difobeyed) wer forced to enter in mens houses, and raife them from their tables, they could not draw them to fervice, but rather that your maieftie, feeming fatiffied with the fervice done by honeft men, should be provided of meanes to wage fouldiers to punishe the first manifest contempt of bad exemple that should hereafter fall furth, and fo renewing formidinem pance in the harts of the evill affected, they might be reduced, and the faithfull confirmed to concurre to your obedience. Paffion hath ouercome me in fome circumstances of this buffines, and moued me to doe and fay more, both of our owne people and the Hollanders, nor a calmer time and exercife wold have required; but fince all proceeded of fervour to fie your maiefties fervice advanced, or coldnes rebooked or amended, I will expect your maiefties wonted gratious conftruction and pardon, and shall ever befeeche God to graunt your maieftie many yeares, with all accomplished contentment, and never fuffer me to liue ane houre after I want a true defire to liue and die

Your Maiesties most oblished, humble, and euer faithfull subiest and feruant,

MELROS.

I humblic craue pardon for vieing anothers hand to this letter, for I take God to record, that my grief to fie strangers attempts tend to wound your maiesties honour, and the disobedience of an ingrat and vngracious multitude of your maiesties subjects, with the consideration of your most deare sones being in Spaine at this occasion, making me to con-

cur with your maiesties counsellors in towne, by toile of bodie by day, and watching by night, fince Sonday morning, in hope to help things, albeit without fuccesse (fince now the Hollanders have brunt the Dunkerk ship, in maner particularlie expressed in the counsels letter,) my eyes are so blinded that I could not write, nor had laifer to do it, being forced this forenoone to prescrive to the clerk of counsell the mater of the first part of there letter, and to dite verbatim to him the last half therof. I submiffie entreat, that your maieffie may be pleafed graciouflie to accept my faithfull intention, and vttermost endeuors to excuse the defects of the performance of that I owe. And albeit I have no obligation to the towne of Edinburgh, the multitude taking themfelues in there raillings to me as having vfed violence aganis fome of the difobedient people, and threatned there magistrats with words of contempt; yet remembering how incident errors are to multitudes, when they concerne the interest of there gaine or loffe in their privat, and that they can hardlie be well reduced by rigour, when the number paffis number, I will of new beg permiffion to entreate your maieftie not to take any hard courfe with them at this time, or expresse any determination against them, but rather to keep your resolution in fuspense, and, declaring generallie your displeasure for there vnthankfulnes, your maiestie may be pleased to reclame them by clemencie, mixed with autoritie, at convenient times, with that temper which your maiestie hes in all bypaft times most mildlie and wifelie vsed towards your subjects. with Gods visible bleffings, wherof I befeech him to grant your maiestie perfite and endleffe continuance, and to me the grace to merite be accompted

Your Maiesties most faithfull and obedient fubiest and feruant,

MELROS.

Edinburgh, 7 May [1623?]

To the Kings most facred Maiestie.

CCCII.-MR PATRICK HAMILTON TO THE VISCOUNT OF ANNAND

My Lord,

THE counfell of Edinburgh having understood by their clark, Mr Johne Hay, how infinitlic they are bound to the conflant continuance of your noble favours towards them, and that they owe the acknowledgement of his good fucceffe in their affaires, onlie to your lordfhips noble furtherance, they are, by their owne lettre, herewith fent to your lordfhip, humblie to thank and proteft their earnest defire and resolution, according to the infinitnes of their obligation, to honour and ferve your lordfhip; and becaus they prefume that your lordships regaird to me, as your fervant, may posliblie move your lordship to looke with the more favourable eye vpon their affaires for my intereffe therein, they therfore fent for me, and thinking their lettre wold not be the vnwelcomer, yf I should accompany it with one of my owne, their inftant intreatie hath imposed vpon me a necessitie of this prefumption, to begg of your lordship that I may hereby beare a part with them in humblie thanking your lordship, for your lordships so constant and favourable furtherance of their affaires, whiche I hope your lordship will pardone in me, who shall wishe no longer breith then I shalbe readie to bestow it for your lordships service; and so, humblie kissing your lordthips hands, I reft

Your Lordships most humble and obliged fervant,

Mr. P. Hamilton

Edinburgh, the 15th May 1623.

To the right noble and my speciall good Lord, the Vicount Annand.

CCCHL-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

Besydes the infinite prooffis and experienceis, whilkis this effaite hes ever had of youre maiefties most constant and vnchangeable affectioun, fo lyvelie and powerfullie manifested towardis thame in all occafionis fra tyme to tyme prefentit to youre maiefties royall confideratioun. the lait reporte maid vnto ws be the Laird of Balwarde and Maifter Johne Hay, commissioneris in that treatie anent the woll, and quhilk wes fecondit by youre maiefties most comfortable lettre, and prudent directioun, fend vnto ws, anent the manufacture of the native commodities of this kingdome, hes, to oure exceiding grite comfort, not onlie walknit and fteirit vp oure affectionis to a most submisseine and reuerent acknowledgement of youre maiefties more then fatherlie eare and endles affectioun towardis ws, whairof we find a daylie grouthe and progres, bot with that, it bindis ws in confcience befoir God, and in oure dewtie and alledgeance to youre maieftie, not to conceale, but to publishe the fame to all youre maiefties fubiccis, that we and thay, youn the confideration of fo many grite bleffinges flowing vpoun ws frome youre maiefties most comfortable and bliffed gouernament, may concurre with oure prayeris vnto God for youre maiefties long and happie reign.

And tuitcheing that point of the manufacture, we haif appointed a meeting of fome noblemen, baronis, and burgefs, frome all the pairtis of the kingdome, to be heir in this burgh vpoun the nynt of Julij nixtto-come, whair the buffynes falbe fett a foote and profequuted, by the beft meanes that may bring the fame to a goode perfectioun, to youre maiefties honnour and contentment, and weele of youre fubicctis. And fo,

continewing our venceffant prayer is vnto God for healthe, and a long and happie lyffe to voure maieftie, wee reft

Youre Maiefties most humble and obedient fubicctis and feruitouris,

GEORGE HAY.
MORTON.
A. MAR.
NITHISDAILL.
MELROS.

At Edinburgh, the fext of Junij 1623.

We haif thoght meete to acquent youre maiestie, that the names of the tua Holland capitanes ar

Vallentyne Deaffau, capitane of the fhip callit Sir Lucas. Adam Pieterfyander.

To the King his most facred and excellent Majestie.

1. 1

CCCIV.-THE OFFICERS OF STATE TO KING JAMES VI.

MOST SACRED SOUERANE,

We have divers times met and feriouslie confulted, vpon the heades of your maiesties letter of the 24 of May, concerning the proceedings of the towne of Edinburgh, and some vndutifull subjects, during the hostilitie betuix the Hollanders and Dunkerkers at Leith, and for obedience of your royall commandment, do humblie offer to your gracious centure the anfuers following:—

First, we think the spoiling the Dunkerkers of there goods, after there coming to land, to be violent reif, meriting capitall punishment.

The fpoiling of the fhip by our people, after fho wes abandoned both by the Dunkerkers and Hollanders, to be ane high offence, triable, and feuerelie punishable, by your maiesties fecret counsell.

And that those who beakned to the Hollanders to come and fease vpon the fhip left by the Dunkerkers, ar guiltie of fauour and affiftance giuen to the Hollanders, who, before that time, by there disobeying the charges given to them to keep your maiefties peace, and forbeare all hoftilitie, by fea or land, in this your maiefties kingdome, wer become your maiefties rebels, and contemners of your autoritie royall; and that the faid fauour wes given agains your maiefties confederates, being vnder your maiesties peace and royall protection; which offense being without any knowne exemple, we can not affuredlie refolue, whether it be more proper to be perfewed criminallie before the justice, or as an extraordinar and haynous offenfe, arbitrar to the counfell. Neither can we fie how the towne of Edinburgh, can be compelled to try the committers of the aforefaids crimes and offenses, as that of the feventent day of December, because that tumult wes stirred vp in there pulpet and churches, and executed vpon there calfay by many of there owne burgeffis, in the prefence and fight of the magistrates. But all the diforders done vpon Sonday at Leith, were before the charge given to Edinburgh to come thether, fo as none of them being at that time in Leith, but one of the water bailies, he was fo bufied in doing the counfels manifold directions, wherin he performed his vttermost diligence: it feemeth more proper to impose that triall vpon those, who have that charge from the Dunkerkers, or vpon your maiefties officers, nor vpon Edinburgh, none of there people being knowne to have been actors particularlie, but a multitude of baffe fellowes, alfwell of the adiacent cuntrie as of Edinburgh and Leith.

The proteftation made by the magistrats wes founded upon there pretended liberties, granted by there infeftments, whervpon no inftruments being taken, and it being past fra in effect, by there offer of obe-

dience at that time and occasion, by there vndertaking to guarde your maiesties canon, as they were commanded; we think there not performing therof to be a direct and wilfull disobedience of your maiesties proclamation, punishable by the iuftice, according to the course vfuallie observed in cases of that nature. And albeit the payne denunced by proclamations, be tinfell of life, lands, and goods, yet we remember not that it hes been viuallie inflicted, but rather that the parties either becoming in will, or being convict by affife, haue been warded and fyned at the princes pleafour. In this occasion, it is also to be confidered, that the fuddantie of the accident, and multitude of confused occurrences, permitted not time to direct the proclamation in folemne forme, and to publifh it by herauld and trompet, but onlie by a fummare warrand, vnfignetted, and published by found of drum. Yet it is vndeniable, that it came fufficientlie to the peoples knowledge; and that not onlie the magistrats came in arms to Leith with fome of there nighbours, vpon Sounday, at night, and received there directions for your maiefties feruice, by the Lord Chancelar, affifted by the other counfellours then prefent, and were commanded to returne the next day for the like effect; but alfo vpon Mononday, wer of new commanded to guarde the cannon, which they vndertooke, and did not performe, which makes the magistrats offense vndeniable and inexcufable, vnles they give vp the names of thrie fcore of there burgeffis, whom they charged with that feruice. So either the magistrats for neglecting to direct and command, or there burgessis for disobedience in performing there charge, must be subject to your maiesties iuftice, or to your royall cenfure.

Thefe, our weake opinions, we humblie offer to your maiefties most excellent iudgement, most earnistlie wishing, that your maieftie may be graciouslie pleased, by letter, to inquire the minds of all your counsellors before ye direct any persute to be moued against the offenders, because your maiestlies precise commandement of secrecie would not permit we to confer with any man, upon such difficulties as seemed to we verie materiall, inrespect of the noueltie of diuers circumstances, the like wherof haue not, to our knowledge, before occurred, or been decided before the counsell or institute, wherepon, if any thing sould be otherwayes determined

by the skill and nomber of the rest of the counsell, your maiestie might be displeased, matters not succeeding according to your commandment, and we blamed for the rashness and errour of our opinions, which we sall faithfullie studie to decline, and readelie endeuour our selues reallie to advance all your royall intentions and commandments, according to our most oblished dutie; and sall incessantie befeech God long to blesse your maiestie with most accomplished happiness and contentment.*

Your Maiesties most faithfull and humble obedient fubiects and feruants,

GEORGE HAY.
A. MAR.
MELROS.
W. OLIPHANT

Edinburgh, 13 June [1623.]

To the Kings most facred Maiestie.

CCCV .- EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My VERY HONORABLE GOOD LORD,

My packet of the 28 of July [June?] carried your patent. Yesternight, I received yours of the 24. This day I could not meet with Sir James

^{*} Holograph of Lord Melros.

Bailie. I have caufed James Hamilton feek him. If he be found, I fall direct him to try John Auchmouties refolution anent the fubmiffion, and if he confent to the forme preferived by yow, we fall caufe draw it vp, and fend it to be fubfcrived, and if he refufe, your lordfhip fall be advertifed. Albeit he allow the fubmiffion, no meeting can be before the 28 of this moneth, becaufe the Vicount Lauderdaill* is to go to Stratherne to morrow, with the Counteffe of Roxburgh, to fie the Earle of Perth, of intention to flay there the most part of this moneth. I fall also defire Sir James Bailie to deale with Robert Lauder, as your lordship does allow.

The Earle of Winton hes willed me to defire your lordfhip, if that decreit arbitrall, which I paffed betwix your lordfhip and him, for the bailerie of Cunighame, be in your lordfhips hands, that it may be fent to be registrat, wheranent he fayes, he will write to your lordfhips felf.

I have defired James Hamilton to caufe Robert Creichton fpeake with me, when he comes to this towne, that I may let him know your lordthips care of his good, and my readines to him.

I thank your lordfhip for fhowing to the Earle of Niddifdaill, the truth of my dealing. Many times I told him, that befide the refpect I did beare to his owne place and worth, that I wes infinitlie bound to the Marquis of Buckinghams many great and vndefferued fauours, and finding my felf vnable to requit them by any feruice to him felf, God having fo bleffed him, as he neither needed the prouffes of my feruice, nor did I fee any way to teftifie my thankfull minde to him felf. I would ftriue to embrace all occasions to make it knowne by my dutie to his lordfhips freinds in this countrie, and chieflie to the Earle of Niddifdaill, who had the honour to be nearer to him by alliance. These duties have obleished me, and I have beene, and fall be, readie to performe them so far as an honest man can do in my place. My remembrance of the freindihip which wes betwix the Laird of Johnston and me, binding me to keep dutie to his sone, will move some of my lords freinds to think and prease to persuade

^{*} Viscount Lauderdale was created an Earl 14th March 1624

him that I can not be dutifull to him, but knowing that his lordfhip is honorable and wife, I affure my felf that he will think that I may discharge honest dutie to both, and will pray your lordship to vie your best credit to remove all eylists, and increase the occasions of freindship amongs them.

I am glade of the freindship confirmed betuix the Marquis of Hamilton and your lordship, which I fall euer wish to continow, and fall neglect no occasion to cherish it to my vttermost, as a mater which imports both your goods, and the contentment of

Your Lordships faithfull freind to do vow feruice,

MELROS.

Edinburgh, first of July [1623?]

To my verie honorable good Lord, my Lord Vicount Annand, at Court.

CCCVI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Whereas youre maieftie wes pleafed, in the fax hundreth and nynetene yeir of God, oute of youre princelie and tender regaird and

compaffioun of the miferyis of the poore, who wer far prejudgeit and hinderit of their almous, and of the cheritie of the people, through the default and fcairftie of fmall moneyis within this kingdome, to grant your warrand for the coynage of fyve hundreth stane weyght of copper, in penny and tua penny peeceis, to the intent that the necessitivis of the poore, whilk wes your maiefteis cheif purpois, being in fome meafour releeued, the intercourse of small commodity is in pennyworth is amongs your maiefteis fubiectis, might, in lyke maner, be the better interteyned, wherin your maiesteis warrand and directioun had a goode succes for some certane veiris, to the grite confort and releiff of the poore, till now of laite, that pairtlie through occasioun of this extreame derthe and penurie of victuall, quhairwith the whole land is fo vniuerfallie vifite, bot cheiflie by the daylie growthe and increfce of the nomber of beggaris, who, as we may trewlie afferme vnto your maiestie, ar now become fax for one, it hes fallin oute, that of this whole quantitie of copper formarlie coyned, thair is litle to be found now current amangs youre fubicetis, quhairthrow, thair cheritie and beneuolence towards the poore, hes bene verie far interrupted and hinderit, albeit thair nomber be now gritair, and thair miferevis more lamentable and pitifull, nor ever wes feene or hard of in this cuntrey. The confideratioun quhairof, conjoyned with the neceffitie of fmall money, whilk wes never fo vrgent as at this tyme, hes moued ws most humelie to requeift youre maiestie, that your maiestie wald be pleafed, by youre lettre, to be returnit vnto ws, to gif your royall confent and allowance for the coynage of other fyve hundreth flane of copper in the spaceis foirfaid, or leffe or more, as the necesfitie of the cuntrey shall require, and that we may haif your maiefteis allowance to aggree, with Maifter Cunycour for the covnage, vpoun fuche conditionis as the worke may conuenientlie beare, quhairthrou, the mifervis of the poore, may be in fome meafour releeued, and that your maiesteis subject is, who ar verie weill affect it and difposit towards thair supporte, may haif the occasioun, fra tyme to tyme, to extend thair cheritie towards thame. And fo, praying the Almightie God to watche ouer your facred persone, and to continew

and multiplie his bliffing is vpoun your maieftie with mony happie yeiris, we reft

Youre Maiesteis most humble and obedient fubicetis and feruitouris,

George Hay.

Melros.

Lauderdaill.

R. Cokburne.

W. Oliphant.

J. Wemis.

Meluill.

Meluill.

J. Erskyne.

Kilsayth.

Haliruidhous, the third of July 1623.

To the King his most facred and excellent Maiestie.

CCCVIL-EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My VERIE HONORABLE LORD.

Your doghters fecurities of her jointure ar exped, but your lordships owne of your excambium, proceed more slowlie, because Maister Thomas Hope hes not yet goten from the Earle of Niddisdaill, all the euidents that are requisit for his information.

A poore old fellow, called Thomas Young, feruant to the Ladie Bas, wes before the counfel vpon the first of this moneth, for cutting the Lairdis wode of Presmenane. He alledged that he had the laird and ladies warrand, but shew none to the counsell; but I saw particularlie the ladies warrand, subscribed be her, which I thought not laufull for making so great wast of that, which belonged to her sone, yet there wes great

opposition made be great men, alledgeing, that fince George Hepburne. in whose name the charges were yield, shew no warrand from the laird, he could have no place to perfew the cutters of the wode. So, as I wes forced to propone the caire the counfell fould have, to prevent diffruction of policie, speciallie of wode, which is so fearce in this cuntrie, that the feafon of the yeer wes fo vnfit, that what is cutted after this time will not grow agane; and, which wes most to be respected, that his maiestie, before his coming to this cuntrie, had, by letter, recommended to the counfel to defire the Laird of Bas to keep and hayne the wode, and the roes that were in it, for his maiefties recreation, wheref we were oblifhed to wish the like happie occasion; but when it fould fall furth, his maiestie would be difpleafed to know that this fide of the cuntrie, from Beruik to Edinburgh, fould want wode and meanes of his or his fones fport, wherby I obteaned, that the cut fould be delayed till the laft day of this moneth, and George Hepburn is directed to produce the lairds warrand for flav of the farder destruction of the wode. My opinion is, that your lordship moue his maieflie to cause fignific to the laird, his pleasure, anent the hayning of the wode and forbearing to cut it, and that he write to the counfell to flav it, till the lairds returne, or whill he fend his expreffe warrand, in writ, to his feruants. I am perfuaded this courfe will greatlie offend the ladie, because I moved George Hepburne to make this stay. Selio will pretend that it wes refolued to be fold for paving ten thoufand merkis to the Laird of Congilton, but the shift is vnthriftie, and will neuer work her end. What is concluded heiranent, must be fignified before the end of this moneth, or els the diforder will go on, and will not be gotten longer flaved by

Your Lordships faithfull friend to ferue yow,

Melros.

Edinburgh, 4 July 1623.

Your lordships two letters of the 27 June came when I wes to close the packet. Maister Thomas Hope assures me that perfite order is taken for your lordship and Sir R. Gordons fecurities with Williame Douglas. I think your lordships resolution, anent the tryall of a servant in Robert Philips place, verie good and wise, that none be trusted, but he that fall be knowne to be sufficient and faithfull. The Vicount Air parted sifteene dayes ago to England. I sall do in the mater of the greeuances, as his maiestie hes commanded, and as your lordship hes wiselie aduised me; and in evrie thing sall affist to my power, that which sall be thought sit by those whom his maiestie trusted with the busines, and sall aduertise your lordship of the progres thereof.

If your lordfhip think that the fight of my other letter would not offend my lord marquis, or prejudge your lordfhips truft, I fould be glade he know thereby my dutifull refpect to his honour and contentment, which I remit to your lordfhips wifdome.

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCCVIII.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Whereas the tyme of the changeing of the fchireftis, of whome youre maieftie hes the nominatioun, now approacheis, we haif thairfoir fend vp heirwith, vnto youre maieftie, ane roll of the jufticeis of peace within thefe fchirefdomis, to the intent youre maieftie may poynte oute fuche, whome your maieftic wilbe pleafit to prefer to beare office for the

yeir to come. Thay who ar prefentlie in office ar markit with the lettre P. And fo, continewing oure prayers vnto God for youre maiefties lang and happic reignn, we reft

Youre Maiefties most humble and obedyent fubicctis and feruitouris.

George Hay. Melros. A. Mar.

Haliruidhous, the aught day of July 1623.

To the King his most facred and excellent Maiestie.

CCCIX .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Whereas, at the first nominatioun maid of ws, be youre maiesteis darrest sone, the Prince, with youre maiesteis aduise, to haif the charge of the administratioun and gouernament of his affairis, and leving in this kingdome, we all thought that youre maiesteis awne feruand, James Primrois, wes the fittest man to be oure clark in that service, alsweele in regaird of his diligence and daylie attendance vpoun ws, for youre maiesteis affairis, as of his sufficiencie and honnestie, verie weele knowne to your maiesteie, and to all youre subjects who hes to do with him in his feruice. Bot it pleased youre maiesteis darrest sone, at that tyme, to mak choise of vmquhile Maister James Scott for that service, not for ony

diflyke that he had to the other, bot oute of his affectioun to the faid Maifter James, with whome his heynes wes better acquented, nor with the other. And now the faid Maifter James being, at the pleafour of God, depairtit this lyffe, we continew in oure formair opinioun, that the faid James is vitt the fitteft man for the feruice, whilk, in effect, is one with that fame that he hes of youre maieftie; and we perfwade oure felfis, that as he has cairfullie and paynefullie ferued youre maiestie, without the leaft imputatious of reprotche, that fo he will endeuoir, by the lyke folicitude and cair, to approve him felf to youre darrest sone. And thairfoir, we haif prefoomed now, in the abfence of youre faid darrest fone (vnto whome we pray the Almightie God to grant a happie returne), to recommend youre awne feruand to your maieftie, humelie requeifting voure maiestie, to latt ws haif youre maiesteis allowance and fauour, to reffaue him in this feruice, vntill it shall pleis God that we vnderstand the prince his awne will thairanent, vnto whome we haif writtin for this effect. The faid James is fomutche the more earnist in this particulair, becaus all thefe who hes ony officeis of youre maieftie heir, ar reffaued in the fame officeis vnder the prince, he onlie exceptit. And fo, praying God lang to preferue youre maieftie in helth, and to grant vnto your maieftie mony happie yeiris, we reft

Youre Maiesteis most humble and obedyent fubiectis and fernitouris.

GEORGE HAY.
MELROS.
A. MAR.
ROXBURGHE.
AR. NAPER.

Haliruidhous, x July 1623.

To the King his most facred and excellent Maiestie.

CCCX.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reflaued youre maiefleis lettre, by the whilk youre maieflie wes pleafed to recommend vnto ws, the confideratioun of the feuerall offenslis committit be voure maiesteis subiectis, in that mater of the Dunkirk thip, brynt at Leethe, and thairwithall willing ws, by our vniforme opinionis, to refolue youre maiestic thairanent, youn the refett of this lettre. After that we hard the relatioun of youre maiesteis secretarie, concerning the particularis of this buffynes, and finding the fame, in confequence and example, to be of grite importance and deliberatioun, we had tua meeting is for that purpois, and verie narroulie examined all the particularis recommendit be youre maieftie vnto ws, and hancing aduifed and difcuft all the objectionis and doubtis that wer proponned thairanent, and, first, towcheing that point anent the violent and shamefull robbing of the companie of the faid ship, after thay had left hir and come to land, we find, that quhairas occult and preuie flouthis ar pynisheit be deathe, that this violent and maisterfull flouthe, committit in day light, in the prefence of twa thoufand perfonis, is a cryme of heighair degree, and will fall vnder the compas of flouthe reaffe, and fo is pvnifheable accordinglie. And towcheing the fecund point, anent the fpoyll of the fchip after that the Hollandaris had boordit hir, and erectit the Prince of Orange his cultouris, and then left hir, we find that point to be of the natur of ane ciuile actioun, and that it may be perfewit outher ciuile befoir the ordinair judge, or befoir youre maiesteis counfell, as ane oppin violence and oppressioun. And towcheing the thrid point, anent these who baikvnned, and gaif wairning and fignis from the fhoir, to the Hollandaris to come and boorde the Dunkirk thip, we find, that feeing the Hollandaris had diffobevit twa chargeis gevin vnto thame, in voure maiefteis name, be a herauld and trumpett, to observe youre maiesteis peace. and to foirbeare the perfuite of the Dunkirkair, who wes lyand on dry ground at the mouthe of youre maiefteis harborie, and fo, by thair diffobedyence, profest thame felffis to be rebellis to youre maiestie, and contempnaris of youre royall commandment; that thairfoir all these who affordit vnto thame the meanes and occasioun to perfew the Dunkirkairis, who wer youre maiesteis freindis, lyand heir vnder youre maiesteis protectioun, hes incurrit the pane and eryme dew to affiftaris of youre maiefteis rebellis; bot becaus the criminall tryale of this point wilbe hard and difficle, as depending vpoun a naiked fignne, and the conceptioun of ane intentioun in the makeris of the fignne, we find it more expedyent, for the better difeouerie of the trewthe, that the mater falbe tryed befoir youre maiesteis counsell, guhair it may be cleirit be oathe of pairtie or be witnessis, nor by ane affife. And toweheing that point quhair the magistratis of Edinburgh, being commandit to gaird the cannoun, proteflit that thay could not be haldin to ferue outwith thair liberteis, we find, that feeing the proteftatioun past onlie an difeours, and wes not fland too, bot obedyence promeift, that thairfoir no cenfure nor pynishement can follow thairupoun. And towcheing the last point, whilk hes twa memberis; the first, yf the magistratis of Edinburgh, conforme to the directioun and command gevin vnto thame, appointit a nomber of thair toun to gaird the cannoun; and yf thefe who wer appointit, obeyit, we find, that howevir the pane of proclamationis for ryfeing in youre maiefteis feruice be ftrait, that neuirtheles, it can not be fundin, be ony record or memorie of man, that the rigour of the law hes bene inflicted in this point, but the pynishement has ever bene turned in compositionis and fynes. And thairfoir, in our opinioun, it is meeteft that the tryall of this mater, falbe remittit to youre maiesteis counsell, who wilbe eairfull to tak the most exact tryall thairin thay can, and, accordinglie, will aduerteis youre maieflie with the progres of thair proceding is, to the intent youre maiestie may gif youre awne aduise anent the forme of pynishement. And towcheing thefe of the toun of Edinburgh, who diffobevit thair magiflrattis, being commandit to attend the magistrates to Leethe, we find that thair offence being rather ane omiffioun of thair dewtie, nor ane contempt, fould be remittit to the magistrattis thame felffis. This being the effect of oure waik and simple opinionis in thir particularis, we humblic present the same to youre maiesteis consideration, submitting oure felfsis thairin, as in all otheris thingis, to youre maiesteis more rair and excellent indgement, and quhat youre maiesteis falbe pleasit forder to command herein falbe accordinglie obeyit. And so, praying the Almightie to blisse youre maiestei with mony lang and happie yeiris, we rest

Youre Maiefteis most humble and obedient fubicetis and feruitouris,

George Hay.

Nithisdaill.
Carnegy.

W. Oliphant.
Glencairne.
Buccleuche.

Al. Elphinston.
Ar. Naper.
Melros.
Hamilton.
Lauderdaill.

Haliruidhous, the first of August 1623.

To the King his most facred and excellent Maiestie.

CCCXL-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI

MOST SACRED SOUERANE,

That were a petitioun gevin in to your maiefties counfell be the earle of Murray, fleuart of Menteathe, and his deputis, proporting, that his faidis deputis haueing apprehendit vmquhill Duncane Moyll Campbell, a commoun and notorious theif, within the boundis of Menteathe.

in the verie fact of thift and foirning, and haueing putt him to the knowlege of ane affife thairfoir, he wes convict of the faid cryme, and fentence of deathe pronunceit agains him; and his executioun being for fome few dayis continewed, to the intent he might haif had the better oceafioun to be reconfiled with his God, feeing he wes ane roode, ignorant man, without ony knawledge of God; that in the meantyme, Robert M'Patrik, his brother, accompanyed with a nomber of lawles and rebellious lymmaris and fornaris, come to Menteathe, and to the duelling house of Patrik Steuart thair, feruitour to the faid earle, whome thay tooke oute of his house, and carved him with thame to the hillis of Glenurquhy, of purpois to haif keeped him as a pledge for releif of the faid Duncane; and thay threatned him with the most cruell deathe thay could deuife, vf the faid Duncane wer not fett free; and thay fend worde to the deputis, vf the faid Duncane wer execute, that thay fould fend the faid Patrik his heade vnto thame, which moved the fleuart deputis, vpoun trew apprehensioun of the gentleman his dangeir, to resolue vpon some course for his relieff. In the prosequation whereof, after that had gottin notice quhair the gentleman wes keeped be the lymmaris, thay maid thair addreffe thair, and fend a meffage vnto thame, first intreating thame, and thairafter in your maieflies name commanding thame, to fett the gentleman free, whilk thay not onlie refuifed to do, bot enterit in a furious perfuite of the fleuart deputis, and of the gentlemen that accompanyed thame, and with hacquebutis, piftollis, and arrowis, perfewit thame of thair lyveis; in the whilk perfuite, it fell oute, be the prouidence of God, that the gentleman wes releued, and three of the lymmaris killed and on apprehendit, who is in handis, and referued to his pynifhment; and of thefe that wer killed, twa being rebellis for thift and murthour, and the third (althoght a knowne commoun thief) not rebell, fome of his freindis, who, during his vnhappie lyfe, feamed to mifknowe him, hes now, after his deathe, maid fome buffynes, and intentit a criminall perfuite for his flaughter befoir your maiefties iuftice; wherupon the gentlemen who wer challangeit haueing meaned thame felffis to the counfell, and, inrefpect of the circomestanceis of this mater, haueing humelie defyrit that the criminall dvet might be defert, and that thay might haif ane approbatioun

of thair proceding is in this mater, with ane exoneration of all cryme and dangeir that might be imputt to thame thairthrow, your maiesties counfell, althoght thay noway doubtit of the trewthe of this informatioun, whilk wes alfua teftifeit be a teftimoniall in write, produceit befoir thame, vnder the handis of a nomber of baronis and gentlemen of the cuntrey, thatt thay wald not prefoome to medle thairwith, bot hes referued the fame to voure maiesteis felff, frome whose meere grace and mercye this approbatioun and exoneratioun must immediathe flow. Onlie this far, vpoun goode refpectis, is done to the gentlemen, thair dyet is continewed to a new wairning of fyfteene dayis, to the intent, your maiestie, after consideratioun of the circomestanceis of this mater, quhilk procedit frome the vnlawghfull taking of a laughfull fubicet, and keeping him as a pledge for releif of a condamnit theif, and frome the oppositioun and resistance maid be the lymmaris agains the fleuart deputis, and gentlemen that adventurit thair lyveis for releif of the faid Patrik Steuart, may extend fuche proportioun of youre grace and mercye to the gentlemen, outher be remiffioun, respett, or approbatioun of thair feruice, as your maiestie, in the excellencie of your wifdome, shall thinke goode. And fo, praying the Almightie God to multiplie his bliffing is youn your maiestie, with the continewance of mony lang and happie yeiris, we reft

Youre Maiesteis most humble and obedyent subjects and feruitouris,

GEORGE HAY.
NITHISDAILL.
AD. B. OF DUNBLANE.
A. MAR.

WINTOUN.
MELROS.
LAUDERDAILL.

Haliruidhous, the fyft of August 1623.

To the King his most facred and excellent Maiestie.

CCCXIL-EARL OF MELROS TO THE VISCOUNT OF ANNAND-

My verie Honorable Lord,

I made flayed vnwryting till I fould heare from the earle of Niddisdaill of the conclusion of the justice court vpon Setterday last, but thinking it liklie that he hes wretin by Carleill, I have fent the roll to James Douglas, and defired him to request your lordship to let his maiestie know, by sight of it, what is done at that dyet. Sir William Seton came yisternight to this towne. I am forie to heare that maters went crosse betuix the earle of Niddisdaill and Sir William and the maister of Jedburgh, by occasion of there contrare opinions, in a repledgration foght by vertue of Drumlanriks regalitie, which my lord tooke in ill pairt, and promised to advertise his maiestie. It is reported that the laird of Lag agried in opinion with the other two, but because I know not the certantie, I remit it to the parties owne informations. As I sall learne any thing in your lordships owne affaires, I fall with diligence advertise, and ever rest

Your Lordships affectionat freind to ferue yow,

Melros.

Edinburgh, 12 August [1623?]

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCCXIIL-SIR WILLIAM SETON TO KING JAMES VI.

MAIST SACRED AND GRACIOUS SOUERAINE,

Pleas your facred majeftie, pardoun my boldnes and prefumptioun, by wreitt, to informe your majestie of ane accident fallin out at our Court at Dunfreis, the 5 August, whairin the Erle of Nithisdaille, be tua letters of your majefteis, the ane direct to him felfe, to Erle Buccleuche, and Vicount Annan, (noe mentioun maid of ws, the reft of the Commissioners thairin;) the other, to ane advocat, defigned justice depute in that behalffe, whose pretendit plaice in our judicatorie, did not a lytle confound the fame, the inflice generall his plaice, and his deputts, haiffing noe compatibilitie with our commissioun in a judicatorie. bredd ane not fene heirtofoir (this tuentie yeares paft, fynce I had the honour to be imployed in your majesteis feruice in the Middleschyres) confusioun, more publique nor I could haisfe wisched, and debaitte nocht comelie in that plaice, the Maifter of Jedburght, Laird of Lag, and I, all flanding to the commoun course of law, ordour, and daylie practique; the Erle Nithifdaille and Juftice Depute, preiffing to chaynge the ordour, be the authoritie of your majefteis letter, whairvntoe wee war willing to acquifce, protefting onlie to be noe actours, whairin, wee had noe varrant contrair to law. Heirvoon, questioun and debaitte haifling riffin amongs ws, in all humilitie, I doe profterne my felfe to intreate your maift facred majeftie, your majeftie will be pleafed, incaice milinformatioun of our procedours cuim to your majestie, it will pleas yow referue ane eare to our tryall; hoping your facred maieftie shall find necessitie of law, lacking all varrant in the contrair, inforced ws to doe that wee could nocht haiff bene comptable for, giff otherwayes wee had done. Off the particulers your facred majeftie will reflaue farder informatioun be the lords of your majefties priuey counfall, efter the 20 inftant, at whilk tyme wee ar to rander ane accompt to thair

lordshipps. The commoditie of the pacquet, pairting to your majestie, and my present returns from that service (haisling allone the opportunity), hes emboldened me, for the maister of Jedburght and laird of Lag, conjunct in that service, this far to informe your facred majestie of the premisses. In all submission, obedience, and humilitie, taking my leive, wischeing from the Eternall all incres of selicitie to your maist facred majestie, and all your royall progenie, rests

Your maift facred Majesties maift submission, obedient, and humble subject and feruitour,

W. SETOUN.

From Edenburght, 12 August 1623.

To the King his most facred Maiestie.

CCCXIV .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

We reffaued your maiefteis lettre of the xij of this inftant, contening your maiefteis opinioun of oure indgement and cenfure of the feuerall offenffis of thefe difordourlie people, in that mater of the Dunkirk thip laitlie brynt at Leethe, togidder with youre maiefteis awne most inditious opinioun, and princelie directioun in that point concerning the magistrattis of the burgh of Edinburgh, for that vntymous and vnfeasounable protestatioun maid be thame agains thair feruice outwith the boundis of thair awne liberteis. In the quhilk point, as we acknowlege your maiesteis fingulair wisdome and most prudent directioun, whiche falbe a pa-

terne and warrand to ws in all occurrentis of the lyke kvnd heirafter, and wherunto in this particulair we shall conforme our felsis, so we haif found verie grite contentment, for your maiesteis gratious allowance of oure simple and waik judgementis in the remanent particularis, concerning this buffynes, and we fhalbe eairful, by exact tryale, examinatioun, and cenfureing of the fame, to gif vnto youre maieftie the best fatisfactioun we can. Bot becaus the buffynes it felf is of that importance, that it requiris the prefence and hearing of a frequent number of the nobilitie and counfell, and the prefent feafoun of the veir is fuche, that it threatnis a laite and bruckle harvest, swa that, be appeirance, this mater can not be weele and formalie handlit, nather will the counfell conveene fo frequentlie as is requifite during this tyme of harueft, it is thairfoir thought meete by the voices of all thefe of the counfell that wer prefent, that this mater shall reft till the begynning of the nixt feffioun, at whiche tyme fuche exact ordour falbe tane thairwith, as the importance of the buffynes requiris. And fo, humelie craving your maiefties pardoun for this fhorte delay of tyme, wherin we had no other refpect bot the formall and ordourlie proceding in this buffynes, we pray the Almightie God to bliffe your maieftie with mony lang and happie veiris, and we rest for ever

Youre Maiesties most humble and obedyent fubicctis and feruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.
WIGTOUNE.

J. ERSKYNE. AR. NAPER. HAMILTON.

Haliruidhous, the 20 day of August 1623.

To the King his most facred and excellent Maiestie.

CCCXV.-EARL OF NITHISDAILL TO THE VISCOUNT OF ANNAND.

My Noble Lord and Brother,

I haue fent out those which I apprehendit for burning of the minister, as his majestie haith directed.

Before Conhaiths returne, I was chargit, at the inftance of Drumlenrik, to produce his men before the counfell: I fent out his majefties letter, and wret to my Lord Chanfeller and the Prefedent, intreting they wold profid no farder, till his majefties answer sheuld cum, which I did deylie expect; bot the counfell did appoint the men to be fet at libertie, finding casion to compeir befoir the generall Justice, wher they know repleging will be admitted.

I haue fent the letter anent that difput betwixt the commissioners and me. Drumlenrik in that matter can pretend no ignorance, for a fourtnight befoir the court, in ane discours betuixt him and me, he said that he wald account him selfe no moir oblissed to anie man wald bring his regalatie in question, then he intendit to cut his throt; wherto I ansuered, that I sheuld be lothe to be wpon knoledge of cutting his throt; bot my maisters direction wald mak me wie noe ferimonie to refuse repledging; for, faid I, what reason can yow have now to tak exseptions moir then yowr father did, in the tyme of the Earle of Dumbar? His ansuer was, thought it was his sathers pleasor to doe so to the Earle of Dumbar, it was nocht his pleasor to doe so with me. When yowr lordship sall sind sittest tyme, be remembering that matter of Amissields and Closbornes, yowr lordship sall oblis tuo honest gentilmen. I tak my liue,

Yowr Lordships brother to ferve yow,

NITHISDAILL.

Drumfreis, September the xxix, 1623.

To my Noble Lord and Brother, the Vifcount of Annand, at Court.

CCCXVI.-EARL OF NITHISDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I MERVELL nocht a lytle of that motion which Conhath maid anent the cafualaties of the Borders, for, as God is my witnes, I never intendit anie fuch thing; nether fall it ever be hard of, that I fall medle with fuch bafs fhifs, for my poore fervice, if it fall be virthe the thinking, the recompance fall cum from our maifteris his oune hands.

I perfaue it fall nocht be posabill for me soe cairfullie to ouersie the particulers of your lordships cuntrie bissines heir, exsept yow appoynt sum man or other to vach over yowr offisers. I vald nocht haue yow to nominat anie pension for the sam, bot according as they sall deserve; for the moist pert of this cuntrie is leyk to be waist for falt of tennens, and I perfaue the offisers louks nocht cairfullie to that poynt.

I cummandit Mathow Wilfone to leid the teins of Caftelmilk. I cummandit the hoill tennents to attend the leading therof, bot I heir ther is nothing done after he had undertene the fam; nather wald Mr David Rodger tak them, for that yow ar bond to pey. Yow have been ivill wfit in all that blok, as yow will cleerlie fie.

Be all apperence, wnles yowr lordfhip tak fum fpedie cours with the stewartrie of Annendaill, it will goe to confusion; for a greit manie lands lyeth waist, the tacsation whereof yow must pey, and then seik yowr relive. If yowr lordship will frie the commisser of Drumsreis of that truble, I knoe no man moir sit for the place: sikleyk, all those casualatis belonging to that office is seasit wpon for the king. If yowr lordship will send me doune yowr mynd, I will doe my best for your weall in all these particulers. I hear nocht of anie cair wsit for yowr credit, be those which yow haue appoynted for yowr gard; nather doe I heir whom yow haue plassid, for tuo or thre war put out, or if yowr lordship will haue syue moir, as my Lord Bukcleughe and I haue allouit. If your lordship haith mynd to prefer them yowr selfe, let me know: if yow will trust it to me, I sall do what

conferns yowr honour therinto. I think ftrange that Sir George Elphinfton fhould haue maid anie motion of my upcuming, much moir of my wyfis. I haue fund the fmart of wafturrie in that pert fuffifientlie allredie; nather doe I ever intend my wyfe fall cum thair, vnles be the direction of my lord Duke of Bukinghame, I mey be affured to be bettered be the woyage. For my oune wpcuming, if yowr lordship fall think it fit, efter yow haue spokin my Lord Bukinghame, short advertisment fall ferve.

I am forie that George Hariot is put in fuch fear and diftaft with me, as I heer be Sir George he is, for his fecuritie may be good enough, if he wald be pleafit to furnis fum mun[ie]. I proteft befoir God ther fall be no means to hould of difcredit, that I fie, fince no munic mey be had from thence, the miferie of this land is fuch. God fend the prince and my lord duik weall home.

I have hard nothing as yeat from Mr Thomas Hope, but I have wretin to him. As I hear, I fall acquent your lordfhip.

My Lord, houeuer men fheuld fenfor yow or me, in owr maifters fervice, it must not mak ws shrink; bot whiles the prince and the marques be home befoir Martinmes, I feir the strong hand agenst reason mar owr good intensions. I attend yowr direction in all things as

Your Lordships brother to ferve yow,

NITHISDAILL.

Drumfreis, September the xxix, 1623.

I have causift proclaim ane justice court to the fixtein dey of the nixt moneth. The outcry of poor prisoners, and of the toune of Drumfreis with mantening of them, haith maid me haift the fam.

To my noble Lord and Brother, the Vicount of Annand, at Court.

CCCXVII.—SIR THOMAS HOPE TO THE VISCOUNT OF ANNAND.

PLEIS YOUR LORDSHIP,

I ressaurt your lordships two letteris yesterday, together with the band of difpositioun of Castlemilk, in fauouris off the earle of Nithifdaill, and I find that fam fault guhilk your lordship hes markit, anent the haill myln; for in the alienatioun off the thrid part to your lordship be Kirkhous, I find the thrid part myln infert. Now, heir wilbe the difficultie: If, in the rychtis made to your lordfhip be Mr Nathaniell Edwards, the haid myln be writennit, the erle of Nithifdaill will alledge, that he must haif all from your lordship, qubilk your lordship hes from Maister Bot in this I can not refolue, qubill I fie the rychtis made to your lordship be Maister Nathaniell, quhilk ar in the erle of Nithifdailles handis; and upon the fchow thairoff, I fall travaill to remove that dout, for it is nawais reffonable that your lordfhip fould guyt that rycht, quhilk your lordship hes your nephew Kirkhous. And as to this band, quhilk is fubfcryvit be your lordfhip, it must be alterit, both in that off the myll, and vtheris heidis, quhilk I haif obferuit, and fall caus draw vp ane new dispositioun, and maik it with my hand; but this must rest till I meit with the erl of Nithifdaill, and bring his lordship, by ressoun, to aggric to fic heidis as must be changit; and in the meane tyme, I fall wryt to the erl of Nithifdaill, and fchaw his lordfhip, that I haif the band in my hand, and dois attend his lordfhips prefence, or fum of his fervandis, with the writtis made to your lordship from Maister Nathaniell Edward, for reforming thairoff.

I haif this day, being the counfell day, caufet mak refignation in your lordships fauores, both of the lands contenit in the contract of excambioun betuix your lordship and the erll of Nithifdaill, and als off the lands con-

tenit in the difpositioun made to your lordship be Kirkhous. And for the rest of your lordships effaires, I attend the ansuer of my letteris, writtin to Robert Macbrair and William Hayning; and so fone as I haif it from thaim, I fall put order to all your lordships bussines, both for the excambioun with the erl of Nithisdaill, and als for Halywod; and to this effect I fal desyre my lord of Nithisdaill to contriue with tham for the mair quik dispatche off that matter off the tenandis and property of Drimsleit.

I wret laitlie to your lordship in fauouris of my brother, James Hope, in Diep, fra quhom the customeris hes takin sum fistie merkis worth off gold threid, he being ane strangear, and his factres not knawing the stricknes off the lawis: And I humblie entreat your lordship to imploy your lordships fauor and credit for restoring to him off his guids, quherin I know Sir James Baillie wilbe maist readie, at your lordships command, to imploy his travailles and best help. So, my humble and bund service rememberit, I commit your lordship to the grace of God, and restis

Your Lordships humbill and faythfull feruitour till death,

SIR THOMAS HOPE.

Edinburgh, 1 October 1623.

My Lord Chancellor is to be at court fchortlie; and his lordships loue and respect to me is so abundant above my merit, that I trust he fall motion my fignatour to his majestie; and thersoir, if my lord speik tuitching thairanent to your lordship, you wilbe pleasit to gif suche concurs as your lordship thinkis meit for the bussies.

To the rycht honorabill my verie guid Lord, my Lord the Vicount of Annand.

CCCXVIII.-EARL OF MELROS TO THE VISCOUNT OF ANNAND.

My verie Honorable Lord,

I received your lordships letters of the 18 and 21 of September. These who are suspect of the burning of the minister of Kirkpatricks house, were sent to this towne yesternight, by the earle of Niddisdaill, and are to be exactle tryed by me, and some others of the counsell, to whom the lords have given commission to that effect.

The commissioners of the Bordours are ordaned to be summond to the next counsell day, to the effect, tryall and order may be taken with the busines, which fell furth the last court, according to his maiesties direction. In these, and all other his maiesties feruices, I fall studie to approue the continuance of the faithfull duetie I owe, and have kept in time bypass, and fall profecute, God willing, to my lines end.

I can learne no thing of any dealing in the laird of Baffis affaires, but that he has wretin to fome of his creditours, to fuperfeed their principall fowmes till Witfonday, promifing to fatifie them, before that time, either with lands or moneyes, to their contentment.

I have not heard from Robert Makbrair, but this day I faw a letter of the earle of Niddifdails to Alexander Maxuell, his agent, willing him to deale with Maifter Thomas Hope, to perfite your contract of excambium, and other fecurities, according to your aggreements. So, till farder occasion, I commit your lordship to God, and reft

Your Lordships affectionat freind to ferue yow,

Melros.

Edinburgh, 2 October [1623?]

His maiefties letter to the magistrats of Edinburgh wes deliuered in due time. I dowt not but themselues will give accompt of their obedience.

I begin to find myfelf verie vnfit for trauell, and that cold doeth me much harme in winter, and therfore, muft be fo homelie as to pray your lordfhip, to informe Sir James Baillie, what furres will be fitteft for my neck and bodie, that he may buy them for me, and at his returne I fall giue him what he fall difburfe.

This morning Maifter Thomas Hope hes told me that he is forced to delay the finishing the contract of excambium, whill he receive answer from Robert Makbrair and William Hayning, to whom he wrote to meet with some of the earle of Niddisdails freinds, and try and report to him, in writ, the trew estate of the lands, superioritie, and propertie, and rent therof. He hes also wretin to the earle of Niddisdails to fend the writs of Castlemilk, that he may perfite your lordships securities therof.

To my verie honorable good Lord, my Lord Vicount of Annand, at Court.

CCCXIX.-THE LORDS OF PRIVY COUNCIL TO THE LORD CHANCELLOR.

After oure verie hairtlie commendationis to your goode lordship, your lordship rememberis, how, that in the moneth of August last, the kingis maiestie, haueing recommendit vnto ws the tryeing and pvnisheing of the infolence and misbehauiour of his maiesties subjects, in that mater of the Dunkirk ship, brynt at Leethe, according to the natur and qualitie of the seueral offenssis, concurring in that earand, we, by our earswer, returnit vnto his maiestie, excuisit oure selfs, anent oure not proceding thairin at that tyme, in respect of the importance of the bussynes, whiche requirit the presence and heiring of a frequent number of the nobilitie and counsell; and that the season of the yeir wes suche, that it threatned a laite

and bruckle harueft; and promeis wes maid vnto his maieftie, that, at the beginning of this festioun, that mater fould be putt to a point. Bot now, we, haueing confidderit that this perfuite and tryale will ftryke cheiflie agans the magistrats and bodie of the burgh of Edinburgh, and being doubtfull, vf his maieftie, will allow of the faid burgh as a fitte and convenient place for profequation of that tryall, we ar thairfoir verie defirous to be confultit, and refolued by his maiefteis cleir and excellent judgement in this point; and for this effect, we will eirniftlie requeift vour goode lordship, at some sitte oportunitie of his maiesteis laifer, to found his maiefteis opinioun thairanent, to the intent that accordinglie we may conforme oure felffis thairunto. Youre lordfhip knowis that thair wilbe a verie grite difficultie in the difcouerie of the principall actoris and offendaris in this buffynes, feeing we haif none to gif ws onv light nor informatioun thairin; and thefe who wer agentis, and thairby pretendit to haif intereffe in the fame, hes neuer troublit thame felffis thairwith, nor neuer dilaitit nor gaif vp to ws the name of ony one guiltie perfone, and thay ar now at courte. Alwayes, thair falbe no thing wanting in ws, quhairby, according to oure bundin dewtie, we may gif vnto his maiestie fatiffactioun heirin. And fo, attending your lordships answer, with the rememberance of oure best and hairtiest assectionis, we committ voure lordthip to the protectioun of the Almightie. Frome Edinburgh, the faxt day of Nouember 1623.

Your Lordships verie loving and affured goode freindis,

Melros. J. Erskyne. Kilsayth. A. Mar. ROXBURGHE.
LAUDERDAILL.
W. OLIPHANT.
AR. NAPER.

To the right honnorable, oure verie goode Lord, Sir George Hay of Kinfawnis, Lord Heigh Chancellar of Scotland.

CCCXX....THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Thair wes a prefentatioun, figned be youre maieftie, and gevin in to be exped be ws, in fauouris of George Quhyteheade, by the whilk your maiestie wes pleifed to prefent him as tennent and vasfal to the Lord of Coldinghame, in the landis of the Northfeild of Coldinghame, with the tevndis thairof includit, whilkis fell in your maiesteis handis, by the foirfeytour of the laite Earle Bothuill, whereof fome notice being gevin to the Earle of Hoome, and the Countesse, his moder, and thav pretending to haif fpeciall intereffe in the buffynes, thay maid earnift fute vnto ws that thay might be hard afoir the prefentatioun wer exped, wherin thay being fatiffeit, as a point whilk, in a mater of this kynd, could not with refoun be refused, and a dyet being appointit vnto thame, and to Frances Steuart, fone to the faid laite earle, be whome this buffynes, for the pairt of the faid George, wes folicited; and the faid dyet being accordinglie keeped be thame and thair procuratouris, the one very inftantlie vrged the benefeit of youre maiesteis presentatioun, and the other, with the lyke inftance, vrged the flay of the fame till your maiefteis awne pleafure wer knowne; and diuers reffonis wer proponned, hinc inde, in that mater, whilkis, with the importance of the buffynes, being at lenthe confidderit be ws, we fand it more expedient, for the weele of bothe pairtyis, that the prefentation should flay some certane space, till youre maiestie, after confideration of thair ressonis, hinc inde, sould, oute of your awne cleir and found indgement, direct ws how to proceed thairin, nor rafhelie to gif way to the faid prefentatioun, whilk might breid proces and pley betuix the pairtyis, and trouble and fasherie vnto your maieftie. Whereupoun it wes defirit, for the pairt of the Earle of Hoome, and the Counteffe his moder, that thay might haif the fauour to fend vp thair ressonis, in write, to your maiestie, for your better informatioun anent the trew eftate of this mater; whilk being grantit vnto thame, and lykewayes vnto the faid Frances, and this prefent nynt of December being appointed vnto thame for geving in thair reffonis, in write, to haif bene fend vp heirwith, we ar informed, that, in this meantyme, the faid Frances in perfone, and the Earle of Hoome, be a feruand, hes tane thair iornay, and ar vpoun thair addreffe towards your maieftie, without geving in of thair reffonis to ws; and fo, leaveing thame to thair awne informationis, thefe ar onlie to acquent your maieftie how far wes proceidit in this buffynes befoir ws. And praying the Almightie God to watche ouer your facred perfone, and to bliffe your maieftie with mony lang and happie yeiris, we reft for ener

Youre Maiefteis most humble and obedient fubicetis and feruitouris,

Melros. W. Oliphant. Kilsayth. LAUDERDAILL.
AR. NAPER.
A. HAMILTON.

Edinburgh, 9 December 1623.

To the King his most facred and excellent Maiestie.

CCCXXI.-AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

My Honorable Lord,

ITT is not verie long tince I vrett to your lordfhip, anent the election of a Juftice Clerk, and now I perceawe that his majeftie, by his happie choyce of Sir Archibald Naper (a worthie gentleman, and a confcientions), hath bene both informed and furthered to do fo by your lordfhip; quherin your lordfhip hes performed a worthie vork, and ac-

ceptable to God, and a fingular feruice to his majeftie, and ane exceiding great plefur to your countraymen. And now, haveing proof of your lordfhips goodnes, and refpect to further good errands, I am bold to troubill your lordship with a poor petition for my felf, quhilk is this: your lordthip thall be advertifed that I have ferued this fax veirs to his majeftie as Justice Deputic, having onlie the fie of ve lib. Scot, quhilk is both fo litill and fo badlie paied, that, in effect, it feemis nothing, 3a, fcarcelie fufficient for my fervant, fo exorbitant ar the pryces of all thingis in this part; and the Lord knois that, of vther cafualities, I have not on penny, because all the cafualities of the place belong directlie to his majesties thefaurer; fo that my fervice and attendance is great, and my allowance fo litill, that I can not do it, by any means, without my great prejudice. Therefore, I am to entreat your lordship, that, owt of your lordships accuftomed goodnes, ze vold fpaik on fauourable vord to his majeftie for me, and that he vold direct the Earle of Mar, theforer, and Sir Archibald Napier, his maicflies thefaurer deput, to confider of my particular, if ather my information be fals, or if the dignitic and burden of the place requires not fum further confideration, that I may be the better encouraged and enabled to ferue his maieftie in all fyncerite and humilitie: This fauer I expect of your lordship, and that it would pleis your lordship to oblifh a fcoller, that honores your lordfhip, fo far as ony lord living, and shall mak it known, be fum speciall testimonic, how far I ame your lordships denoted fernant. In this hoip of your lordships fauerable report to his maieftie of me, I will reft, ftill vifing to your lordfhip all health and happines, as erneftlie as I shall ever rest

Your Lordships humble and affectionate feruant,

AL. COLUILL.

Edin. xi December 1623.

To the right honorable his fpecial good Lord, my Lord Vicount of Annand.

CCCXXII THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAINE,

WE receaved your maieffics lettre, of the third of December, by the whiche, your maieftie wes pleafed to command vs, to try and informe our felffs, if your maiefties lands in Orkenay and Yetland may be raifed to any confiderable greater rent, communibus annis, then Sir John Buquhannan payeth for the fame, without heighting of the tennents to a greater dewtie, then they payed to the erles of Orkenay, or ar able to pay; and if thair be no appearance thairof, that then we fuld advyfe, if it be expedient, to fett the faids lands in ffew for the faid rent, and to returne our opinions thairanent vnto youre maiestie. Vpon the restait of this lettre, we enterit to a confideration of the first pairt and article thairof, and having hard youre maiefties thefaurar deput (who hath bein verie cairfull to informe himfelff of particulars for your maiefties forder benefit), and having learned vthervyfe what we both, out of our owne knowlege, and by the information of fuche indifferent gentlemen of the cuntrey, who have no entrefs in the busines, we find, that (howfoeuer in thir yearis, when in extreame fearcetie hath raifed cornes to ane exceffive pryce and dearth), a provident takifman may receave a good fuperplus aboue your maiefties rent, if he can get full payment of the haill fermes, whilke hath naither bein done these last yeares, nor is it to be expected in any pairt of this kingdome, till it pleas to fend better feafons and greattar plentie, by whiche cornes being brought againe to thair vfuall pryces, we think that rent the vtter availl whiche may be had for these lands, without highting of the tennents, who ar well knowne to be, for the most pairt, verie poore people; and who culd neuer be able to pay the dueties wherto the Erles of Orknay, respective aneuch of thair awin profite, have raifed them, and which they now pay, if thair poore ferme of living, speciallie in taking and feeding on fishes, did not enable them. And we having lykewyse conferrit the prefent effait of the tennents, and the oncertaintie of the rent, with the affurance and conftancie of a fettled rent, that will aryfe from the ffewing of the lands, wee ar all of ane opinion, that it is most expedient for youre maiesties hon[or, and] good of the cuntrey, and setling of ane constant and onchangeable rent to your maiestie, that the lands be set fiewit for the dutie that is now payit to your maiestie, for the same whilkes particulars, remitting to youre maiesties wyse and princelie consideration, etc.

CHANCELAR.
MAR.
MORTOUN.
SANTANDROIS.
ROXBURGHE.
MELROS.

LAUDERDAILL.
CARNEGY.
KILSAITHE.
W. OLIPHANT.
A. HAMILTOUN.
AR. NAPER.

Edinburgh, 20 January 1624.

Copy—The Counfaills letter to hes Maieftie concerning the heighting of the lands and Earldome of Orkney.—1624.

CCCXXIII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

VPOUN the refett of your maiesteis lettre of the fourte of Februair last, towcheing the Middleshyris, we appoint a meeting of the commissionaris to be heir at Edinburgh, vpoun the xxiiij of this instant, alsweele for ane accompt to haif bene gevin be thame, in such point express in your maiesties lettre, as concernit thair charge, as for thair

aduife and opinioun to be gevin to ws, in the remanent pointis of the faid lettre recommendit vnto ws. Whiche dyet being accordinglie keeped be the Earle of Bugeleugh, the Lord Cranftoun, James Maxwell of Kirkconnell, Sir Andro Ker, Sir Williame Seytoun, and Sir Johnne Murray of Phillaphaugh, (the Lairds of Lag and Amiffeild, being youn fome necessair occasionis excuisit); and your maiesties missiue being punctuallie red vnto thame, and eueric article thairof weele confidderit and aduifit, and first that point anent idill livaris, who hes found cautioun for thair dewtifull behauiour, becaus, in the tryall of thair contranentionis, findrie thing is may be interprete to be a contrauentioun, and to infer the penaltie of thair band, quhairof the nature and qualitie of the offence, will not, by rigour of iuftice, deferve fuche a pynishement; we haif thairfoir, with the commissionaris awne confent, authorized thame, with warrand and authoritie, to conveene befoir thame all fuche perfonis, within the boundis of thair office, as by thair transgressionis hes violat thair cautionaryis, and to tak particulair tryall and notice thairof, and of thair prefent eftate, and quhat hes beene thair bipaft lyffe and demeanour, fen the finding of thair cautioun, to the intent, that, after confideratioun of the nature of the transgres, and qualitie of the persone, we may modifie the fyne accordinglie. And towcheing thefe that hes not found cautioun; becaus it is lyke anewgh that fome of thame (althoght thair bipaft behauiour hes bene blameles) can not gett cautioun, we find it hard, that perfonis of this kynd falbe fubiect to the rigour of the act of transplanting; and thairfoir we haif recommendit vnto the commissionaris to informe thame felffis how mony of thir perfonis ar alvve, quhair, and by quhat meanes thay live, and quhat hes bene thair behauiour fen thay fould haif found cautioun, and to mak reporte thairof vnto ws, that thairafter we may gif directious anent thame accordinglie.

The fecound point of your maieflies lettre, towcheing the promifcuous libertie tane be all perfonis at thair pleafour, to repair to and fra Irland, quhairby malifactouris hes the meanes to efchew the hand and ftraik of juftice, hes bene verie aft debaitit at the counfell table, and diuers meeting is and conference hes bene had vpoun that fubicate, be perfonis felectit for the purpois, without ony certane conclusioun; and at

last ane commissioun wes gevin to two men, who vndertooke, be thame felffis and thair deputie, to attend at all the fea portis towards Irland, and to be anfuerable that nane bot laughfull perfonis and goodis fould be transported; bot this commissioun turned first in ane abuse and grevance to the fubiectis, and thairafter wes altogidder defertit and left; and we haveing at lenthe conferrit with the commissionaris heirupoun, we ar all of opinioun, that the fatling of ane constant ordour, in this mater, will depend vpoun a mutuall correspondence to be keeped with ws at the opposite coift in Irland, wherin, becaus the adulfe of some of the vindertakaris for the Irishe plantatioun, and of the commissionaris for the Middleshyris, with some of the burrowis in the west cuntrey, is requisite, we haif appointit a meeting to be heir at Edinburgh, in the moneth of July nixt, for that earand; and we haif writtin to the Vicount of Ardes, the Lord Clanebewye, to fend heir fome fufficient gentlemen for thame to this dyet, inftructit with thair best aduyse and opinioun, concerning this buffynes; and we haif lykewayes writtin to the reft that ar in this cuntrey, and we hoip, that at this meeting, fuche a goode courfe falbe refolued vpoun, as shall procure youre maiesties contentment and goode of the cuntrey.

And towcheing the thrid point of your maiefties lettre, anent the repairing of fugitiues and fufpect perfonis, to your maiefties courte, for efchewing of tryall, thair hes bene findrie proclamationis maid to that end; and we haif now, with the commissionaris adulfe, gevin warrand vnto thame to mak a cleir roll of all the fugitiue names within thair boundis, and to fend the fame to courte, to fuche a persone as your maiestie shalbe pleasit to mak choise of, who shall apprehend all suche personis contenit in the roll, as hes not a note vnder the hand of the commissionaris clerk, that thay haif abiddin thair tryall, and bene acquate of all crymes, preceding the dait of the roll, wherin thair names ar contenit, and euerie suche persone that salbe so apprehendit and send home, shalbe examplarie pyneist.

Whereas information hes bene maid to your maieftie, that commiffionis hes bene gevin to privat men, within the Middlefhyris, for tryeing and pynisheing of offendouris, to the prejudice and differedite of your maiefties awne commissionaris, your maiestie shalbe pleasit to knowe, that thair hes bene no commissionis of that kynd grantit, bot one to the Earle of Roxburgh, aganis his awne remouable tennentis, and for the space of ane yeir allanarlie, whose place and worthie behauiour, in all materis recommendit to his charge, and speciallie in this feruice, wherin he bearis a burdyne with ws, moued ws to entrufte him with that commissioun, and whiche now, vpoun the knoulege of your maiefties pleafour, he hes renunceit and difchargeit. Bot where baronis infeft with priuilege of pitt and gallous, apprehendis a theif with a fang, and neglectis the tyme deu for his tryall, whilk is xxiiij houris, we, with confent of the commissionaris, do think it more expedient to gif commissioun to suche a baroun for doing of justice yourn a malefactour of that kynd, nor to referue him to the tryall of the commissionaris courtis, becaus it often fallis oute, that thir beggarlie thevis hes not of thair owne to interteyne thame, and fwa thay must owther ly vpoun the baronis charge, or then sterve for hungar; and of this kynd thair hes onlie bene twa commissionis past, one to the Lord Garleis, aganis a theif, apprehendit be him, with a fang; and ane other to the Laird of Johnnestoun, aganis a theif of this same kynd. granting of remiffionis to bordour men for hacquebutis and piftollettis, thair hes no fuche remiffionis bene grantit, nather fall onv be grantit in tyme comeing.

And towcheing the last point of youre maiesties lettre, anent the difarmeing of the Bordour men, we, and lykewayes the commissionaris, ar of opinioun, faulsting your maiesties more excellent judgement, wherunto we fall conforme our felstis, that it is not expedient that these who hes found cautioun, and levis under the obedience of law and justice, falbe subject to this article, becaus that wilbe a special meane to waikine the cuntrey, and to mak the inhabitantis unsit for service, upoun ony interuening occasioun, as indeid thay ar presentlie reduceit to that estaite, that they haif nowther house nor armour; alwayes, we haif gevin ordour that all these who hes not found cautioun falbe disarmed, wherewith the commissionaris ar contented.

This being our opinioun and answer to the particulair headis of your maiesties lettre, we humelie present the same to your maiesties considera-

tioun; and, prayeing the Almightie God to bliffe your maiestie with mony lang and happie yeires, we rest

Youre Maiesteis most humble and obedient subjectis and servitouris.

GEORGE HAY. BUCCLEUCHE. A. MAR. MELROS. AR. NAPER. PERTHE.
ROXBURGH.
LAUDERDAILL.
W. OLIPHANT.

Edinburgh, 23 Martij 1624.

To the King his most excellent and facred Maiestie.

CCCXXIV .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

This inclosed lettre being fend vnto ws be Sir James Spens, knight, and we haueing red and confidderit the fame, and finding the contentis and defire thairof, to dip vpoun pointis, wherin, some of youre maiesties confederatis may pretend thair privat interesse, and we not being resolved how far the same may towche the goode correspondence standing betuix youre maiestie and thame, we haif forborne to med[le] thairwith, and hes heirwith send up the letter to youre maiestie, to the intent that youre maiestie, after aduised perusall and consideratioun thairof, may resolve vpoun suche ane equall course thairin, as youre maiestie, in youre princelie wisdome, shall hold fitting. And so, continewing our eirnist

prayers vnto God for youre maiesteis lang, happie, and blissed reignne, we rest for ever

Youre Maiesteis most humble and obedient subjects and seruitouris,

GEORGE HAY. LINLITHGOW. PERTILE. Melros. Wigtoune. Carnegy.

Edinburgh, the 28 of Apryle 1624.

To the King his most facred and excellent Maiestie.

Indorfed:

"The Counfell concerning a lettre fente by the K. of Sweden.

" 28 Aprilis 1624."

CCCXXV.-LICENCE BY KING JAMES VI. TO THE EARL OF NITHISDALE.

JAMES R.

RIGHTE truftie and righte welbeloued counfellour, and righte truftie and righte welbeloued cofen and counfellour, wee greete yow well: Whereas for certeyne good refpectes and reafons, to our felfe knowne, wee haue bene pleafed to giue licence to our righte truftie, and righte welbeloued cofen and counfellour, the earle of Nethefdale, to trauelle and be abfent oute of our dominions for fome time, wee haue thoughte

good, by thefe præfentes, to require yow to holde hand, and haue a fpeciall care that, during his faid abfence, he receaue no wrong, eyther in mater of judicatorie or otherwife; and in fpeciall, if anie of his creditouris shalbe fo importunate as to craue their principall summes in the time of his faid absence, that yee wold deale with them to accepte of their insteamnual for a reasonable time, at leaste, for one yeare. And, not doubting of your speciall care herein, as in a mater moste earnistlie by vs recommended to yow, wee bid yow farewell. Giuen at our mannour of Greenewich, the 21 day of Maie 1624.

To our righte truftie and righte welbeloued counfellour, Sir George Hay, knighte, our Chancellour; and to our righte truftie and righte welbeloued cofen and counfellour, the Earle of Melros, our principall Secretarie of our kingdome of Scotland.

CCCXXVI -EARL OF NITHISDALE TO THE EARL OF ANNANDALE.

MY NOBLE LORD AND BROTHER,

In all the particulers that conferne his majeftis fervice wpon the Borders, Johne Yowng haith tham to delyver to yow: fum wthers which ather conferns me in particuler, or us bothe, he haith leykweys. I did intend to have helped my diftreffed eftet be his majefties favor in Irland, which I have requiftit Mr Grahme, when my Lord Duik fall have recovered perfyt health, to prefent wnto his lordfhip, which Alexander Gordon will follow. That which I am to intreat of yow, for the prefent, is to difpatche Johne Yowng home, and that thefe munis which the duik will giue, mey be remembered wpon as your lordfhip finds fitt occasion, without importunating, becaus, with much moir, it is freilie bestowed; when the fam fall be had, yow fall relive my ring with two hundreth punds, and

pey thre hundreth, which yowr felfe and James haith bond yowr felfes for me: the reft fend home, or delyver to Archibald Boyl, for payment of interes to thes I am adetted to at home. Yow muft leykweyfe procur my lord ducks letter to fend home to confort my wyfe, with letters to the chanfaller and prefedent of Scotland, fhewand, that, durand my abfence, his grace will be protector of what conferns me, and, in that kynd, intreats their favor. What other thing fall occour, quherinto yow think fitt to be trubilfome to his grace at his majefties hand, I know yow will find noe lothing at his hands if it conferns me. Thoght yow apprehend that difcontented humors poffeffis me, I craue no moir at Gods hands, for the weall of my hous and cheyld, bot that his grace may have long and good healthe. My facred maifter, and our prinfe, whom God long preferve, being alyve, in yowr brotherlic cair, I haue full confidence, and remits to yowr felfe all my privat affairs, to be disposed as yowr lordship thinks fitt, I fall be ever

Your Brother to ferve you,

NITHISDAILL.

Denmark Hous, May the xxviii, 1624.

I must intreat your lordship will reid over ane letter sent to me be Sir James Macdonnell, and intreat his majesties consideration of his estat. I have tauld him that he neids not fear bot his majestie will provyd, in his oune tyme, to supple his deseyrs.

To my noble Lord and Brother, the Earle of Annandaill, Thefe.

CCCXXVII.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

The importation of foreyne victual hes bene fo frequent and commoun, and in fo exceiding grite aboundance and quantite, thir tua

or three yeiris bigane, as the most pairt of the moneyis of this kingdome hes bene exported and bestowit to that vse, wherupoun hes followit suche ane feairstie and penurie of money, that nomberis of your maiesties fubiectis, of all rankis, whose burdynis straited thame at this terme, and who wer willing and refponfall, in landis and goodis, to haif gevin vnto thair creditoures fatiffactioun, wer, to thair grite greiff, difhabled, through the feairstie of moneyis, to do the same. The consideratioun quhairof, moued ws, vpoun the humble petitioun of Williame Dik, and Williame Wilkye, burgefs of Edinburgh, who wer special importaris of this victuall, and had fuche ane quantitie thairof lyand vpoun thair hand, and readdie to fpill, be reafoun it wes fa foone broght in, and thair wes few or nane to buy it, to grant vnto thame ane licence, for exportatioun of ane certane quantitie of the fame victuall, especiallie qubyte, whilk wes the gravne the cuntrey floode leaft in neede of, and wherwith thay vndertooke to bring in money, or, gif the neceffitie of the cuntrey should require, the double quantitie of ony other foirt of victuall, whilk wes more vfefull for the cuntrey. And thay, having laidnit tua fhippis with this victuall, and being vpoun thair courfe towardis thair porte, expecting nothing les then ony hurte frome ony, with whome your maieftie yitt ftandis in termes of freindship and correspondence, thair shippis wer, notwithstanding, perfewed, boordit, and tane, be tua warre thippis of Dunkirk, and caryed in to the toun of Dunkirk, where the shippis and goodis ar maid laughfull prvife. This is a mater, whilk, in oure humble opinioun, wald be narrowlie aduertit and looked vnto, not fo mekle for the privat intereffe of the tua honnest men, who ar heirby verie far damnified, as for the publict interesse of the whole marcheant estate; for gif this be tollerate, and gif the forder courfe and progres thairof be not interruptit, the whole foreyne commerce of this kingdome, whilk, for the maift pairt, is interteyned with Holland, wilbe shaikin loufe, and cutt af, to the vidoing, not onlie of the marcheant effate, but to the grite hurte of the rest of the kingdome. And thairfoir, wee will, in all humilitie, presome to recommend this mater to your maiefties princelie and wyfe confideratioun, humblie befeecheing your maieflie to tak fuche ordour thairin, as, in the excellencie of your princelie wifdome, yow fall hold fitting, quhairthrow

the honnest men may be redrest, and restorit to thair shippis and goodis, and the lyke of this attempt forborne heirafter. And so, with the continewing of our vncessant prayers to God for your maiesties lang and happie reign, we rest

Your Maiefties most humble and obedient fubicetis and feruitouris,

GEORGE HAY.

AL. ELPHINSTON.

AR. COKBURNE.

AR. NAPER.

W. OLIPHANT.

A. HAMILTON.

GARNEGY.

HAMILTON.

KILSAYTH.

MELROS.

Halvruidhoufe, the fifteene of Junij 1624.

To the King his most facred and excellent Maiestie.

CCCXXVIII._THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, conforme to your maiefties direction, commandit chargeis to be direct againis Maister Robert Boyde, and the rest of the ministeris

and otheris, whome your maieftie ordanit to be confyned, for their compeirance befoir ws, vpoun the tuentie fourt of this inflant, to haif hard your maiefties will anent thair confyneing, declairit vnto thame, the faid Maifter Robert getting notice heirof, not onlie prepared himfelff for a prefent obedience, and is this day vpoun the removing of his houshold and familie, but to preveene the dyett, he prefentit himfelff befoir ws, and by his petitioun humblie defyrit that he might be now hard, and your maiesties will declairit vnto him, and that he wer not vnnecessarlie forced to attend till the faid tuentie fourt day, whilk wes grantit vnto him. In his petitioun, he cleired himfelff of findrie imputationis, whilkis, as he alledgeis, ar objected agains him, as, namelie, that of the privat meetingis and conventicles within Edinburgh, of the whilkis he protefted, bothe by word and write, and vpoun his grite oathe, that he wes ignorant and innocent, and that he nouther affifted thame with his prefence, nor allowed of thame, nouther vitt buffyed himfelff with thir churche materis, nor had no dealing with ony of the burgh of Edinburgh, nor no otheris thairanent, bot behaved himfelff fo calmelie and foberlie, as poffiblie he could, efhewing all occasionis, companyis, and meetingis, whilkis might give the least mater of offence. And whereas he pretendit the necessitie of findrie his adois throughout the whole shirefdome, and the rather, for that he had a ftranger to his wyffe, of whofe contentment, befydis the educatioun of his childreene, he behooved to haif a cair, and that he could nouther be accommodat with the one nor the other, within the bound of Carrick. Wee having hard and confidderit of his petitioun, wee wald not prefoome to enlarge his confyneing without your maiefties allowance, bot hes referued the fame to your maieflies awne goode will and pleafoure, wherein gif your maiestic salbe gratiouslie pleased to fauour him, oure simple opinioun is, that no harme can follow thairupoun, and gif thairafter he fal happin to ouerfee himfelff, whilk wee looke not for, and fua fall proue vnworthie of that fauour to be flawne be your maiestie vnto him, your maieftie, vpoun knawledge thairof, may give directioun for his forder reftraint, as your maieftie fall think goode; bot remitting this to your maiefties confideratioun, and humblie craving pardoun for this our prefumptioun,

we humblie pray God to bliffe your maieftie with mony long and happie yeiris, and wee reft for euer

Your Maiesties most humble and obedient fubiectis and feruitouris,

GEORGE HAY.
MELROS.
KILSAYTH.
AL. ELPHINSTON.
AR. NAPER.
A. HAMILTON.

Hamilton.
Lauderdaill.
W. Oliphant.
Carnegy.
J. Erskyne.
R. Cokburne.

Halyrudhoufe, the fifteene of Junij 1624.

To the King his most facred and excellent Maiestie.

CCCXXIX. THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

Thair lies of lait fallin oute, within the burgh of Dunfermlyne, vpoun the xxv day of Maij last, ane most lamentable and fearefull ac-

cident by ane fuddane and terrible fyre, whilk araife within the fame, and continewed fo violent, for the space of foure houris, as no foirfight nor ftrenthe of man wes able to refift it, fua that the poore inhabitantis, who, with mutche ftryveing and extreame hafaird of thair lyveis, oppofed thame felffis aganis the violence of the fyre, wer conftrayned, in end, to yeild to neceflitie, and to be spectatouris of this fearefull visitatioun, wherin the whole body of the toun, whilk confifted of ellevin fcoir of tenementis, and fouretene fcoir and fevin famileis, wes, within the space foirfaid, brynt and confumed, with the wholl plenneffing of the houffis and the barnis about the towne, wherin thair wes fyve hundreth bollis of victuall; wherby this poore toun, haueing within it fevin hundreth communicantis, with faxtene fcoir of bairnis, of whome the eldeft is not past fax veiris of aige, is totalie ruyned and vndone, and the poore inhabitantis, who wer a companie of industruous and verteous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miferve, that no thing is left thame bot the cloathis vpoun thair backis, without house or holde to repoise thair languisheing bodyis in, as some of ws, who has feene the defolation of this poore towne, can beare record. We haif beene verie folift and cairfull for a supplee to this poore toun, and hes begyn, oure felffis, to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate. And whereas this gentleman, your maiefteis auld feruand, hes, at the earnift defyre of the poore toun, vndertane to reprefent vnto your maieffice the defolat effate and conditioun thairof, thay haif petitioned ws, that be him we wald gif notice vnto your maiestie of the trewthe of this mater, whilk, in a mater of this kynd, we could not weele deny. In the meanetyme, we fall haif a cair that the moneyis quhilkis falbe contributed for this earand, falbe prouidentlie mannaged, and rightlie diffributed, according to the qualitie and necessitie of the pairty is interessed; and in euery other thing, whilk may procure the conforte and releiff of that poore toune, no thing falbe inlaiking in ws, whiche to oure charge and placeis apperteynis. And fo, with our humble praveris vnto God, recommending your maieftie, and all your royall and princelie adois, to the protections of the Almightie, we reft for ever

Your Maiesteis most humble and obedyent fubicetis and fernitouris,

GEORGE HAY.
JA. GLASGOW.
WIGTOUNE.
A. MAR.

LINLITHGOW.
MELROS.
GLENCAIRNE.
BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the King his most facred and excellent Maiestie.

CCCXXX.-THE LORDS OF PRIVY COUNCIL TO THE PRINCE OF WALES.

PLEAS YOURE HEIGHNES,

It hes bene the goode pleafour of God, laitlie, vpoun the xxv day of May laft, to vifite youre heighnes toun of Dunfermlyne, with a moft lamentable and fearefull accident, by a fuddane and terrible fyre, whiche araife within the fame, and continewed fo violent for the fpace of foure houris, as no humane witt, ftrenthe, nor foirfight, wes able to refift it; and within this fpace the whole body of the toune, whiche confifted of ellevin fcoir of tenementis, and foureteene fcoir and fevin famileis, wes brynt and confumed, with the wholl plennefling of the houfis, befydis the barnis about the toune, wherin, thair wes fyve hundreth bollis of victuall, whereby this poore toun, fometyme a floorifheing member of the body of

this commounweele, and haueing within it fevin hundreth communicantis, with faxteene fcoir of bairnis, of whome the eldeft is not paft fax yeiris of aige, is totalie ruyned and vndone, and the inhabitantis, who wer a companie of vertuous and industruous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miferie, that no thing is left thame, but the cloathis vpoun thair backis, without house or holde to repoife thair weyreit bodyis in, as some of ws, who hes feene the defolatioun of this miferable toun, can beare record. We haif bene cairfull, as become ws, for fome supplee to releeue the present neceffityis of the towne, and we haif begyn oure felffis to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this eftate; and we fall haif the lyke cair that the moneyis, quhilkis falbe contributed for this earand, falbe prouidentlie managed, and rightlie distributed, according to the qualitie and necessitie of the pairtyis in-And whereas this gentleman, your heighnes darrest faderis auld feruand, hes, at the eirnift defyre of this poore toun, quhair he had his refidence and duelling, undertane to reprefent unto your heighnes the defolat effate and conditioun thairof, thay haif petitioned ws, that be him we wald gif notice vnto youre heighnes of the trewthe of this mater, whiche we could not weele deny, and the rather becaus the towne is youre heighnes awne. And fo, praying the Almightie God to watche ouer youre heighnes perfone, and to bliffe youre heighnes with mony lang and happie yeiris, we rest

Youre Heighnes most humble and obedyent feruitouris,

GEORGE HAY.
JA. GLASGOW.
WIGTOUNE.
A. MAR.
LINLITHGOW.

Melros.

Lauderdaill.

Glencairne.

Buccleuche.

Haliruidhous, 16 Junij 1624.

To the Prince his Heighnes.

CCCXXXI.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

According to your maiefties directionn, wee called before ws the Lordis Boyd and Blantyre, Sir James Cleland, Maifter Patrik Walkinsha, and a nomber of the takkismen of the kirkis of Monkland and Calder, and first wee examined thame youn thair greevis, and what ony of thame had to propone or alledge agains others. Sir James Cleland complenit, that he being heretablic infeft be your maiefties chartour, vnder your grite feale, in the landis and baronie of Monkland, with the right of patronage of the kirkis of Monkland and Calder, boght be him' at a deare rate, and wherunto he had the confent of Maifter Patrik Walkinfha, titulair of the benefice, and accordinglie, hes bene in peaceble and vncontraverted poffessioun thir fevintene or eightene yeiris bigane. That notwithstanding, the Lord Boyd had vnkyndlie procurit a new infestment frome your maiestie of this same patronage, vpoun the dimissioun of the faid Maifter Patrik, and fo hes broght the faid Sir James to a neidles proces of law for defence of his infeftment, and poslessioun following thairupoun. The Lord Boyd excuifis him felff, bothe of vnkyndnes, and other wrong alledgeit done to Sir James, affirmeing that he hes done nothing in this particulair, bot that whilk ony other fubicet might laughfullie haif done, for the faid Maister Patrik being willing to haif maid furrender of the benefice, the faid Lord Boyd delt with him thairanent, procurit the faid furrender, and the confent of the bifhop and chaptour of the kirk of Glafgw thairunto, and thairupoun purcheft your maiesties infeftment, vnder vour grite feale, whilk he produceit befoir ws; declairing, that gif Sir James infeftment be valide, and gif the fame may be fuftenit, be courfe and ordour of law, that then his infeftment, whilk is posteriour to Sir James, can not prejudge him. The Lord Blantyre his intereffe is grounded vpoun a conditioun and promeis, alledgeit maid to him be Sir James, not to quarrell nor impugne his takkis; and feing, he hes no fuche promeis of the Lord Boyd, he apprehendis fome feare to be

quarrellit, whilk will draw vpoun him a warrandice of all the takkis maid be him to his fubtakkifmen. Wee having at lenth hard thame vpoun thir pointis, at tua or three meetingis, whilkis wee had with thame thairanent, wee earneftlie delt with thame to haif drawne thame to a fubmiffioun, wherin we wald haif proceedit fo indifferentlie and confcientiouslie, as nane of thame should haif had just cause of offence. The Lord Boyd offerit to fubmitt, for his pairt, to freindis. The other tua declynit the fubmiffioun; the Lord Blantyre alledgeing, that he had no mater to fubmitt, and that he wald fland to the defence of his takkis, be ordour of Sir James altogither refuifit the fubmiffioun, as a mater whilk threatnit his vtter wrack and ouerthrow, becaus he wes bundin, and floode obleift to the takkifmen in the contrair; for verificatioun quhairof, thair wes fyve or fex contractis produceit befoir ws. As for Maister Patrik Walkinsha his behaviour in this particulair, he preasses, by some friuolous evalionis, to clear him felff thairin; but the trewthe is, that first he gaif his confent to Sir James Cleland, his authour, and now hes maid a furrender in fauouris of the Lord Boyd. This being all that we could do in this buffynes, we humblie prefent the fame to your maiefties confidderatioun; and guhat forder your maieftie shall command to be done heirin, vpoun the fignificatioun of your royall will and pleafoure, it shalbe obeyit. And fua, with our most fervent prayeris vnto God for your maiesties long and happie reign, we reft

Your Maiesties most humble and obedient subjects and feruitouris,

GEORGE HAY. MELROS. A. MAR. JA. GLASGOW. AR. NAPER.

Halyruidhoufe, the 25 of Junij 1624.

To the King his most facred and excellent Maiestie.

CCCXXXII. THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Zour maiestie was gratiouslie pleasit to recommend to our tryall, the informationne maid agains James Arnot, be his creditors, who, alledging that the faid James haifing maid over fome pairt of his eftait, in truft, to confident persones, in fraudem creditorum, did thairypon craue to haue his bodie delyvered, to be transported from Bervick, whidder he had his refuge, for fafetie of his perfone, to be incarcerate heir. Wee haue bein cairfull to proceid exactlie in that examinationne, and to vfe all meanis of law, which might ferve for the difcouerie of fuch fraudfull alienationnes (gif any wes), and for that end, grantit fummondis to the faid James, for furmmonding his haill creditouris: efter whose citatioune and compeirance in our haill prefencis, we tryit and found, that thefe imputatiounes wer not warrantable, bot that the faid James had trewlie gevin and difponit all his awin effait and guidis, and also the haill guidis, geir, and landis, which perteinit to James Dalzell, for payment of the debtis of the faid James Dalzell, for whome he was furetie, and for whofe debt he hes pavit the fowme of fourfcoir and fevin thowfand merkis, Scottis money, by and attour the faid James Dalzell his awin guidis and geir: Swa, that no pairt of his effait was entrufted be him to any perfone in preindice of his creditouris, bot himfelfe redacted to that pinch, that, for fafetie of his perfone from imprisonement, he has retired to Bervick, whair he leivis vpon the benevolence and charitie of his freindis, and by fuch fupplie as thair compassionat pittie of his indigent estait enforcis thame to minister to him for the entertainement of his lyfe: which, out of our bound dewtie, we doe prefent to gour maiestie, as ane accompt of our proceedings in that buffines; and with our fervent prayers to God for gour maiefties long and happie reigne, we reft

Jour Maiesties most humble and obedient fubicetis and fervitouris,

GEORGE HAY.
MELROS.
LAUDERDAILL.
J. ERSKYNE.
HAMILTON.
CARNEGY.
W. OLIPHANT.
A. HAMILTON.

Sa. J. Skene.
Geo. Areskyn.
Ar. Naper.
A. Fletcher.
J. Gibsone.
A. Hay.
T. Henryson.
Al. Elphinston.

Edinburgh, 29 of Junij 1624.

To the Kingis most excellent Maiestie.

CCCXXXIII .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Youre maiesteis lettre, concerning the declaration of your royall will and pleasour, agains Williame Rig and his complices, come no foonnair to oure handis, whome youre maiestic first intrusted thairwith, bot thair went a current brute through this toun, of ane extraordinair grite fyne to be imposed vpoun the saidis persons. How, or fra whome this

brute proceidit, we know not, and we will cleir oure felffis, that, to this houre, we haif euer concealled that point anent the fyne, and nowther acquentit the reft of the counfell, nor no otheris thairwith; and for this we will humelie crave your maiesteis pardoun, and beg that fauour of youre maieflie, that youre maieflie wald be grationflie pleafit to tak in goode pairt oure humble opinioun concerning this fyne, whairin, as the Lord knowis, we haif no other thing befoir our eyis, bot your maiefteis honnour, and the generall content of youre fubicctis, who, at the first raising of the vocertane bruite of this fyne, quhairof the particulair is yitt vnknowne vnto thame, wer fo moued with the rairnes of the mater, and the apprehenfioun of feare, vpoun the preparative and confequence thairof, as we haif not hard of a mater fo hardlie tane with, and fo dangerouflie apprehendit, be all rankis of perfonis; ffor the lyke of this fyne wes neuer hard of in this kingdome, and thair wes never a cryme (how grevous foeuir), whilk wes punishable be fyneing, that reffauit fuche a cenfure; nor can the meanes of prinat perfonis afforde fuche fowmes, and the man him felff, althoght, in the generall opinioun of the people, he be welthie, is not knowne to haif fo mutche flocke as the fowme imposed; and yf it be left in record, it will importe the effect of ane forfeytour, and a depryveing him of his wholl eftate, quhilk, in a mater of this kynd, refrect being had to the qualitie of the offence, and quantitie of the fyne, will not be warrandit be example, and, in the opinious of mony, will not fubfift in courfe of juffice. The confideration wherof hes moved ws hithertillis, to conceale the fvne, being perfuadit that the counfell wald neuer allow thairof, and we wer loathe that ony of youre maiefteis directionis fould reffaue ane interruptioun, or hard interpretatioun. The rest of your maiefteis pleafour concerning him, and his affotiates, by declaratioun maid of thair being ever incapable of ony publict functionis, is fatisficit, and he shall keepe warde in the Blaknes, and the rest in thair wardis, till vour maiestie, in the excellencie of youre wisdome, compairing this punishement with the qualitie of the offence, shall restaue contentment, wherwith we will most humelie beseeke your maiestie to rest satisfieit, and to pardoun our prefumptioun and bauldnes, wherin, as we haif formarlie faid, we haif no other respect bot your maiesteis honnour, and content of youre fubicctis. And fo, praying the Almightie God to preferue youre maieftie in healthe and happynes, with a lang and bliffed reignne, we reft for ever

Youre Maiesteis most humble and obedyent fubiectis and fernitouris,

GEORGE HAY.
A. MAR.
MELROS.
W. OLIPHANT.

Haliruidhous, the first of July 1624.

To the King his most facred and excellent Maiestie.

CCCXXXIV .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

Most Sacred Souerane,

We reflaued youre maiefties lettre, of the xxij of Junij laft, and, to oure exceeding grite greiff, we perfaue that youre maieftie hes tane offence at oure procedingis, in that mater concerning William Rig, and that fentence wes not pronunceit aganis him, conforme to youre maiefties directionn, wherin we will humelie craue pardonn, to cleir oure felffis, that no privat refpect nor confideration towardis the man, could haif induceit we to overfie the leaft point of dewtie, in the execution of youre royall commandmentis; bot knoweing that youre maiefties principall ayme, in this and otheris materis of the lyke kynd, is groundit vpoun a most religious and princelie refolutioun, to haif youre maiefties lawis, concerning the ordouris of the churche, to be reverentlie obeyit, and a

peceable and fruitfull ministerie to be establisheit in this burgh; fo, at the dvet appointit for pronunceing of voure royall will aganis the faid Williame, he compeirit, accompanyed with the whole ministeris of this burgh, and not onlie most submissivelie acknowlegeit his oversight in that Twifdays meeting, afoir Eafter laft, and cleirit him felff of fome miftaking is in his depositionis, and quhairin he had forvett him felff, by granting a point never fpokin of be him in the meeting foirfaid: bot with that, the ministeris, after a havye regrait maid be thame of thair hard estate and conditions within this burgh, and how that had a purpois to haif beggit leave to haif left thair ministerie,—in end, thay declairit, that, ypoun conference with the faid Williame, thay had reflauit grite contentment and fatiffactioun, in the mayne pointis, wherin he pretendit his doubtis, and wer in goode hop of his future conformitie and obedyence; and that the reft of the nighthouris of the towne, who has the gritest hand in this buffynes, wald, by his example, do the lyke, guhairupoun wald follow the peace of thair churche, respect to thair personis, and a hairtlie and mutuall harmonic betuix thame and thair flocke, whilk wes the onlie thing thay And, thairfoir, thay humelie interceidit for fauour vnto the faid Williame, and that the declaration of your royall will aganis him might be deferred for fome certane space. Thay being at lenthe hard, and the expediencie of thair propofitioun debaitit at the counfell table, and the archiebishop of Sanctandrois, who, as youre maiestie knowis, hes the griteft cair in thir churche materis, and whose opinioun is mutche reuerenceit and followit thairin, not onlie ioyned with the ministeris, in thair propositioun and defyre, as the fittest course to procure obedvence and peace in the churche, bot voited with ws, to the fuperfeiding of the declaratioun of youre will and pleafour. This being the fimple trewthe of the cariage and progres of this buffynes, we will humelic befeeke youre maieftie to accept the fame in goode pairt, as proceiding frome thame, whose cheif cair and indevoiris, in the charge and place quhair with your maiestie hes honnourit ws, is to approve ourefelflis worthie of oure charge, and ansuerable to the truste youre maiestic reposeth in ws; we haif depryued the faid Williame from his office of baillierie, and hes declairit him and the rest incapable of ony public charge, in churche or towne, heirafter;

and hes directit thame to thair warde; and in all otheris thingis, quhilkis may procure your maiefties obedyence and contentment, the peace of the kirk, and refpect to the ministeris, thair falbe no thing wanting in ws, whilk to the dewtie of our place, as counfellouris, and alledgeance, as humble fubiectis and feruitouris, apperteynis. And fo, with the continewance of our humble and cirnist prayeris vnto God for youre maiesties lang and happie reignn, we reft for ever

Youre Maiesteis most humble and obedyent fubicatis and feruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.
SR. J. SKENE.
AR. NAPER.
J. MAR.
LAUDERDAILL.
R. COKEURNE.

J. Gibsone.
Morton.
Carnegy.
Al. Elphinston.
Linlithgow.
J. Erskyne.
Hamilton.

Haliruidhous, the first of July 1624.

To the King his most facred and excellent Maiestie.

CCCXXXV .- THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Afoir the refett of your maiefteis lettre, of the fevint of this inftant, whilk wes directit to the whole counfell, we, your maiefteis chancellair and fecretair, had divers meeting with the earle of Nithifdaill his creditouris, and eirniftlie delt with thame for a continewatioun of perfonall executioun agains his cautionaris, till this approtcheing

Martymes; and now, vpoun the refett of this laft lettre, the creditouris wer broght befoir the counfell table, and the mater, of new, vrged of thame, with all the inflance and reflonis that might induce thame thairunto; and becaus of the neir approtcheing of the terme, the continewatioun wes vrged till Whitfonday, and promeis wes maid vnto thame of thair annuellis. We fand a willingnes in fome of the creditouris, and a plane and direct oppositioun in otheris, who pretendit mony difficulty is and reffonis, quhairfoir that mater fould not be vrged of thame. towcheing that point of youre maiesteis lettre, anent the recalling of compryfeingis, inhibitionis, and hoirningis, yfed aganis the faidis eautionaris, the creditouris wer fo far aganis the fame, as thay opposed thairunto reffoun, law, iuftice, and practique of the kingdome; and that this table could not medle in a mater of that kynd, depending vpoun thair rightis and fecurityis, whilkis wer to be hard in another judgement; and the wholl counfell thoght, that, befydis the breache of law, the fauour craued wald ouerthrowe all trufte, commerce, and intercourfe, within the kingdome, and, confequentlie, wald produce griter inconvenientis, to the hurte of the effate, nor could be for the prefent foirfeene. This being the effect of oure proceding is in this buffynes, we humelie prefent the fame to youre maiesteis consideratioun, with oure humble and eirnist prayeris vnto God for youre maiesteis lang and happie reignn. Frome Haliruidhous, the xv day of July 1624.

Youre Maiesteis most humble and obedyent fubiectis and feruitouris.

GEORGE HAY.
A. MAR.
MELROS.
J. ERSKYNE.
AR. NAPER.
W. OLIPHANT.

MORTON.
LAUDERDAILL.
CARNEGY.
RONBURGHE.
HAMILTON.

To the King his most facred and excellent Maiestie.

CCCXXXVI.—DEPOSITIONS OF ROBERT ELLOT AS TO THE INTENDED CAPTURE OF THE EARL OF BUCCLEUCH, &c.

At Edinburgh, the xvii day of Julij 1624; in prefence of the Lordis Chancellour, Thefaurair, the Erllis of Moretoun, Roxburgh, and Melros.

ROBERT ELLOTT of Ridheugh, fworne, and examinat vpoun the purpois and intentioun of taking the erll of Bugcleuchis lyffe, deponis, That Gib Ellot, callit the Tutour, proponit first to the deponner the murthour of the faid erll, faying, the deponner wald neuir be at rest, till the erll wer cutt off; and he vndertooke to do the same within a year; bot the deponner neuir aduysed, nor counsailled him thairto: And sayes, that Gib come to Jedburgh to tyme of a justice court, and thairaster to Edinburgh, to have done the turne; and grantis that the deponner tauld this mater to Gawane Ellott, who answer the deponner, that Gib wes bot a feeble coutcher, and wald neuir do the turne.

At Halyrudhous, the nyntene day of July 1624; in prefence of the Lordis Chancellour and Thefaurair, the Erllis of Mortoun, Roxburgh, and Melros.

Robert Ellot being demandit, In what plaice Gib Ellot, callit the Tutour, first proposit vnto him the purpois concerning the murthour of the erll of Bugcleugh? deponis, The first tyme that Gib Ellot moued that buffynes to him, wes at the watter fyde, neir to the deponneris dueling hous of Demayneholme, whither Gib haid purposific come; quhair, haue-

ing regraitted the erll of Bugcleuch his hard veage of the deponner, and his whole name, he brak of the purpois concerning the erll of Bugeleughis lyffe, faying, that yf he could gett help and mantenance, he wald yndertak, vpoun the perrell of his lyffe, to do the turne within a yeir. Demandit, Quhat he ansuerit, when Gib first motioned this matter voto him? Grantis, that he intertenced the motioun, and that Gib and he haid oftentymes purpois concerning that buffynes, at euery vther tyme when Gib come to his hous: Grantis, that within aucht daves after Gib Ellot proponned this buffynes vnto him, the deponner communicat the fame to Gawane Ellott in the Hilhoufe, who wes verrie jealous and fufpitious of Gib, that he durft not do the turne, calling him a feeble fellow. Demandit, At what tyme, and in what plaice, Gib Ellot refolued to do the turne? deponis, At the tyme of the halding of the juffice court in Jedburgh, and thairefter in Edinburgh: Grantis, that he wes in Jedburgh at that tyme, whiche wes appointit for putting thair purpois in executioun: Denyis that he euir gaif any thing to Gib Ellot to do the turne. Demandit, After the purpois failled in Jedburgh, guhat wes the nixt appointed tyme and plaice for conferring vpoun that fubicet? deponis, Thay haid findrie meittingis and conferenceis thairanent, and that Gib Ellott wes of opinioun that the turne might be best done in Edinburgh, and with leaft danger; quhairypoun, the deponner and he come to Edinburgh, quhair, haueing attendit the euent of the buffynes fome certane dayes, Gib Ellott, Robin Young, and the deponner, returned hame, all thrie togidder; bot denvis that he haid any conference with Gib Ellott anent the murthour of the faid erll, at that tyme, and in the prefence of and heiring of Robin Young; nather rememberis he what past betuix thame in thair ryding betuixt Maxuelheugh and the Moftoure, bot grantis that, befoir he com into Edinburgh, he tauld Robin Young, that Gib Ellott haid vudertane the buffynes. Demandit, Yf, the tyme he wes in Edinburgh, Gib Ellott boght a quhinger, and broght it to the deponner and Robin Young, and shew it vnto thame, faving that it was a fit instrument for the purpois that haid in hand? Grantis the fame to be of verritie. Demandit, How fone he directit Gib Ellott into Edinburgh, after his returne hame? deponis, Within aucht dayes; and grantis that he haid Robin Young in Edinburgh befoir Gib, to reffaue the pryce of a horfe, whilk the deponner haid fauld at his laft being in toun. Demandit, How meikle of the pryce of the horfe he ordanit Robin Young to delyuer to Gib Ellott? deponis, Tuentie pundis. Demandit, What conference Gib Ellott haid with him after Gib his bakcomeing frome Edinburgh, and that the purpois haid failled thair? deponis, He inquyred findrie thingis of him, the particularis wherof he can not remember. Demandit, Gif thair wes any difcord betuixt Gib Ellott and him, befoir the deponner lady caufed fell Gib Ellott his knolt? Denyis that thair wes euir any difcord and variance betuixt him and Gib.

Item, The faid Robert Ellott being examinat, and demandit anent the ftealing of Maifter Herroun and Williame Charletoun thair ky, deponis and confessis, that he wes airt and pairt of the stealling and ressetting of sax ky fra Maister Heroun, in Chipseis, about Mairtynmes last; and that Edie and Will Vschearis and Gib Ellott, callit the Tutour, being his awne fervandis, wer actouris with him in this thist: And forder, he confessis that the faid Edie and Will Vschearis, his fervandis, haueing stowen frome Williame Charletoun, of Yslysyde, tua ky and ane ox, the saidis goodes wer broght to his house, and resset being, and eaten in his house.

CCCXXXVII.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, by oure lettre of the 26 of Marche, acquentit your maieftie, how far we had proceidit in the tryall and examinatioun of that deteftable purpois contryved be Robert Ellott of Ridheugh, agains the lyffe of the Earle of Bugcleugh, and vndertane to be execute be Gib Ellott, callit the Tutour; youre maieftie, reffenting the interpryfe, as it wes, indeid, bothe bafs and vnworthie, in refpect of the circumftances and

qualitie of the perfone agains whome it wes intendit, being a nobleman, a counfellour, a commissionair in the boundis where the murthour wes contryved, and the faid Robert his fuperiour, youre maieflie wes pleafed to will ws to go on in the tryall and punishement, fo far as the course of law wald allow; and if the lawis in that point wer defective, that the more exact diligence should be vsed for discouerye of the thift, quhairof the faid Robert wes challenged, for your maiefties fatisfactioun; in whiche point we haif bene verie carefull, by divers examinationis, to rype vp the whole treuthe and mifterye of this mater; and after findrie meetings and denyallis, on the faid Robert his pairt, the dvet for his criminall perfuite, vpoun the thift, being at hand, and the verificationis thairof verie vidoutit and pregnant, wee then layed before him the conditioun quhairin he floode, and the inevitable danger he wes to vndergo if the dyet held fordwart; and, after muche dealing heirin, he wes broght to a confessioun, bothe of the intendit murthour and thift, as by his depositioun, fend heirwith, your maieflie will perceave. How foone the erle vnderftoode of this confessioun, he being moued with pitie and commisferatioun of his cftate, he not onlie delt for a delay and continewatioun of the criminall dyet, whiche, at his carneft intreatie, wes grantit, bot he allowed that wee thould humblie interceid for fauour vnto him at your maiefties handis, quhilk, in all humilitie, wee remitt to your maiefties princelie confideratioun. His tua colleagues in the thift hes vndergone thair tryall and punishement, the father being execute, and his fone, inrespect of his confessioun and young veiris, being banished the kingdome. He has ane man callit Robert Young, who wes previe to this mater, and agains whome the faid Robert Ellott himfelff, and Gib Ellott, callit the Tutour, hes deponit, that he not onlie knew of the buying of the quhingear, be the faid Gib, to the effect abouewrittin, bot also wes prefent at thair conference, vpoun this fubiect, betuix Maxuellheugh and Mostoure. He is now prifonner in the tolbuithe of Edinburgh, for his obdurate denvall; and wee wald humblie knaw your maiefties pleafour, quhat falbe done with him. This being the effect of oure proceiding is heirin, wee humblie prefent the fame as ane accompt of oure diligence, and what forder your maiestie shalbe pleased to command thairin shalbe obeyit. And so,

with our vnceffant prayer s vnto God for your maiefties long and happie reign, wee reft

Your Maiesties most humble and obedient fubiestis and feruitouris,

GEORGE HAY.
MELROS.
A. MAR.

Morton. Roxburghe.

Halyruidhoufe, the 22 of July 1624.

To the King his most facred and excellent Maiestie.

CCCXXXVIII. THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

VPOUN informatious maid to ws, of fome appeirance of trouble and vnquietnes, lyke to haif fallin oute betuix certane of the erll of Hoome his tennentes, on the ane pairt, and fome of lord Grav of Wark his men, on the other pairt, vpoun occasioun of the douncasting of the faid earle his miln dame of Spyla, committit be the faid lord Gray his men, and of the flaughter of one of his men, whiche vnhappelie fell oute in the oppofitioun maid to the douncasting of the faid dame; wee, being cairfull, as become ws, of your maiefties peace, and to prevent all occasionis quhilk might diffurb that goode correspondence, whilk your maiestie so earnistlie wifheis to be mutuallie intertenyed betuix the tua kingdomes; wee not onlie write to the shireff of Beruick to informe ws of the particularis of that buffynes, and to conveene the justice of peace within that boundis, and, by thair ioynte authoritie, to bind all the pairty is on this fyde, intereffed in that mater, to the peace, bot wee lykewayes write, to this fame end, to the jufficeis of peace within Northumberland, and wee eirneftlie recommendit vnto thame, that a meeting of the commissionaris of the

Middlefhyris might be appointit for trying and punisheing of the offendaris on either fyde, and fatling of ane conftant ordour for the peace in tyme comeing. Thay haif bothe returnit vnto ws thair ansuer, proporting, that thay haif tane fufficient ordour for the peace; but aneut the meeting of the commissionaris, these of that fyde hes maid no mentioun. Wee ar informed frome the thireff of Beruick, that the Spyla miln hes bene a gangand miln thir fourtie yeiris bigane; and that vpoun the fevint of this inflant, fome of the lord Gray his men, to the number of tuentie perfonis, come, afoir the fune raife, to the faid dammheade, and kaift down the fame, and that the oppositious wes onlie maid be three men; bot leaving this to the ordinair tryall and examinatioun, wee will humelie requeift your maiettie, feeing this mater may draw deipair to the difturbance of voure maiefties peace, that youre maieftie wald be pleafed to write to the faidis commissionaris of the Midleshyris, to appoint a meeting, fa foone as convenientlie may be, and not onlie to tak exact tryall of this buffynes, and accordinglie to centure the fame, and to fetle that ordour quhilk may remoue all forder occasioun of trouble heirafter, bot lykewayes to tak ordour for fatling of the difference betuix the Lord Walden his tennentis, and the lairdis of Wedderburne and Blacader, anent the fisheing is foiranent Fifhewick, quhilk hes alreaddie bred grite trouble, and is lyke to produce forder. And fo, with our earnest prayeris vnto God for vour maiesties long and happie reign, wee rest

Your Maiesties most humble and obedient fubiectis and feruitouris,

PA. B. OF Ross. J. Glasgow.

Buccleuche.

J. Erskyne.

Melros.

GEORGE HAY.
MORTON.
LAUDERDAILL.
A. MAR.
RONBURGHE.

Haliruidhoufe, the 22 of July 1624.

To the King his most facred and excellent Maiestie.

CCCXXXIX.-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiefteis lettre, of the 21 of this inftant, by the whilk, your maiestie recommendit vnto ws the searching and finding out of the conventiclis keepit within the burgh of Edinburgh; ffor your maiesteis satisfactioun in whilk point, we thousht it first expedient that all of youre maiefteis counfaill, who wer this day conuenit in a frequent nomber, fould be examined, vpoun thair grite oathe, concerning thair knowledge of thir conuenticlis; quhilk being accordinglie done, and thay haveing purged thame felffis thairof, thairafter we fend for the proueft, baillies, and wholl counfell of the faid burgh, and verie straitlie laved this mater to thair charge, as a cryme most offensive to your maieftie, fcandalous to the kirk, and most pernitious and wicked, in confequence and example, caryeing with it are evident introductioun of shifme, the breiding and foftering of errouris, and of mony otheris evillis within the kirk; and we burdynnit thame, owther to find out the offendaris, or otherwayes your maiestie wald tak yow to the wholl towne. Thay wer verie grevit for youre maiesteis offens agains the towne, and, with mony atteftationis, pleadit ignorant and innocent of those conuenticlis, and, by thair grite and folemne oathe, purgeit thame felffis bothe of the deid and knowlege thairof, protefting that thay never hard of fuche a mater; and yf it wer trew, that in thair hairtis thay detestit it, as a point vnworthie to be fufferit or hard of within thair towne; and thay promeift the vttermost of thair endevoiris to trye, yf ever ony fuche offence hes bene committit, to the intent the pairtyis found guiltie may be feueirlie punished.

We intimat, lykewayes, vnto thame, youre maiesteis will and pleasour anent the commynioun, wherunto thay willinglie acquiescit, with promeis of conformitie and obedyence, humelie intreating youre maiestie, that yf ony foolishe people of thair towne sall stand oute and be refractar,

that the weyght of youre maiesteis wraithe fould light vpoun thame selflis, and that youre obedyent subjects of the toun sould not be troublit for thair solely. We haif gevin directioun to mak intimatioun of the celebration of the communioun, be proclamation at the mercatt croce of Edinburgh, vpoun Mononday nixt, and we haif insert, in the proclamatioun, that same certification express in youre maiesteis lettre. This, for an accompt of oure proceedings, in this mater, we humelic present the same to youre maiesteis consideration, with our humble and cirnist prayaris vnto God for youre maiesteis lang and happie reignn. Frome Haliruidhous, the 29 of July 1624.

Youre Maiesteis most humble and obedyent fubicctis and feruitouris,

GEORGE HAY.
ROXBURGHE.
CARNEGY.
A. MAR.
MELROS.

MORTON.

LAUDERDAILL. HAMILTON. BUCCLEUCHE. W. OLIPHANT. AR. NAPER.

To the King his most facred and excellent Maiestie.

CCCXL .- EARL OF MELROS TO KING JAMES VI.

Most Sacred Souerane,

How foone your maiefties letter, commanding the flay of proceeding, in the action perfued by the Earle of Roxburgh aganis Francis Stuart, came to my hands, I went to the earle, and fignified to him your maiefties pleafure, which he promifed humblie to obey, and to furceafe

all farder inflance till he fould obteane your maiefties permiffion to the contrarie, afluring me, that he fould teftifie his due obedience by his owne letters. So, praying God to bleffe your maieftie with accomplished profperitie, I reft

Your Maieflies most humble, faithfull, and bund subject and servant.

MEIROS

Edinburgh, penult July 1624.

To the Kingis most facred Maiestie.

CCCXLL-THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

That wes a complaint gevin in this day vnto ws, in name of the commissionaris of the Midleshytis, proporting, that althought thay haif bene verie folist and carefull to approve thame selfs ansuerable to the trust, your maiestie hes repossed in thame, not onlie by keeping of goode correspondence, executing of justice, and causing of reall redres to be maid of all complaintis on the Inglishe syde, sua, that now thair is no stouthis nor reasses hard of vnredressed on this syde: that notwithstanding, a pairt of the boundis on the Inglishe syde, as, namelic, Tyndaill and Riddissaill, is in a maner brokin louse, and frequent stouthis committed within the same, and no redres at all maid, be reason, as we conceave, that since the decease of vnqubile Sir Harye Widrington, that had charge ouer these boundis, thair is no persone of qualitie authorised with commission, within the fridis boundis, to tak ordour with the saids disordours, as is done at the east and well handis, quhairby your maiesties subjects, on this syde.

ar havelie preiudget, and may be tempted to feek redres valaughfullie, if fome courfe be not tane that a mutuall correspondence and redres be indifferentlie keepit on bothe fydis; quhairof, we thought meete to mak your maiestie forseene, to the intent your maiestie, after dew tryall and informatioun of the causs of thir disordouris, may prouide for preventing of the forder grouthe of the same, and suppressing of the present. And so, praying God to blisse your maiestie with mony long and happie yeiris, we rest

Your Maiesties most humble and obedient subjectis and feruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.
S^B. J. SKENE.

Edinburgh, 4 Februair 1625.

To the King his most facred and excellent Majestic.

CCCXLIL...THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a fignatour gevin in to ws, vnder your maiesties hand, and recommendit be your maiesties lettre, to be exped, contening ane infestment of the lordship of Kintyre, in fauouris of the earle of Argyll, his eldest some of the secund mariage; after consideratioun quhairos, having callit to oure rememberance, how that the passing of this infessment wes verie instantile vrged be the earle himselfs, the tyme of the parliament, in the fix hundreth and sevinteene yeir of God, quhair your maiestie wes present, and how that grite oppositioun wes maid thairunto be the said earle his cautionaris, as, namelie, be the constable of Dundee, the

lairdis of Lundie, Laweris, and fome otheris, who conftantlie affirmed, that thay had no hoipis of releif of thair grite ingadgementis for the faid earle, if that infeftment wer exped, feing the lord of Lorne, the faid earle his eldeft fone, floode infeft in the fee of the whole reft of his leving, and nothing wes reftand, wherupoun thay might gett reall executioun for thair releiff. And whereas your maiestie, oute, of your gratious refpect of thir gentlemenis releiff, allowit of the flaying of the infeftment at that tyme, we thairfoir thoght that we could not be ansuerable to your maiettie, if now, without hearing of thame, we fould give way thairunto; and thairfoir, we wret for thame, and Lundie compeirand, he renewit, with verie grite inflance, the formair fuite anent the flaying of the infeftment, and gaif in a note of threttie fex thousand, aucht hundreth, and three pund, wherin he vit standis ingadgeit for the faid earle, befydis tua thoufand pundis, with fome annuellis that he has payit. We having at lenth hard him, as alfua the faid earle his agent, who attendit this buffynes, and who had nothing to fay agains the note of the ingadgementis foirfaidis, we haif maid choife rather to ftay the infeftment, nor rashelie to give way thairunto, till first we be consultit with your maiestie thairanent, wherin, craving your maieflies pardoun for this fhorte delay, and being readdie, according to our bundin dewtie, vpoun fignificatioun of your maiefties royall will and pleafoure in this particulair, to conforme our felffis thairunto, we pray God to bliffe your maieffie with mony long and happie yeiris, and reftis

> Your Maiesties most humble and obedient fubicctis and feruitouris.

> > GEORGE HAY. MELROS. W. OLIPHANT.

Edinburgh, the fourte of Februair 1625.

To the King his most facred and
excellent Maiestie.

CCCXLIII.—THE NAMES OF THE NOBILITIE OF SCOTLAND, NOWE HEERE TO ATTEND THE FUNERALL OF KINGE JAMES.

The Lord Chancelor.

The Duke of Lenox.

The Marquefs Hamilton.

The Archbishopp of Saint Andrewes.

The Earle of Mar, Lord Treasurer.

The Earle Marthall.

The Earle of Morton.

The Earle of Eglinton.

The Earle of Buchan.

The Earle of Nethifdail.

The Earle of Linlithgoe.

The Earle of Home.

The Earle of Wigton.

The Earle of Tullibardin.

The Earle of Roxbrough.

The Earle of Kelley.

The Earle of Balclewth.

The Earle of Melrofe.

The Earle of Annandail.

The Earle of Laudirdale.

The Lord Gordon, eldeft fone to the Marqueis Huntley.

The Lord Vifcount Aire.

The Lord Erskin, eldest sonne to the Earle of Marr.

The Lord Fenton, eldeft fonne to the Earle of Kelley.

The Lord Binning, eldeft fonne to the Earle of Melrofe.

The Lord Spynee.

The Lord Madertie.
The Lord Pittinweeme.
The Lord Brufe.
The Lord Caluill.
The Lord Kincleuin.

KNIGHTS, PRIUEY COUNSELLORS OF SCOTLAND.

Sir Archibald Napeire. Sir John Hamilton. Sir George Elphingston. Sir Andrew Kerr. Sir William Alexander. Sir John Scott.

OFFICERS.

Sir William Seaton, Mafter of the Houfhold; equall to the Treafurer or Comptroller of his Majesties House heere. Maister John Oliphant, his Majesties Agent; equall to his Majesties Solicitor heere.

Maifter William Chambers, Treafurer Clerk; equall to Sir Robert Pye, Auditor of the Exchequor heere.

Maifter John Fenton, Comptroller Clerke; equall to the Clerkes of the Greenecloth heere.

These verye Scotise Nobellmen present at the Funerall of King James, in Maij 1625.

CCCXLIV .- THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERANE.

The charge and burding of your maietteis feruice agains the rebellis of the Claneane, (be whome, not onlie youre maiefteis awne fubiectis, bot the fubiectis of otheris princes, your maiefteis freindis and confederatis, wer havielie diffrest and robbed of thair shippis and goodis, and fome of thame eruellie and barbarouflie flavne), being committit to the Lord of Lorne, he, oute of his humble and dewtifull refpect to your maiesteis obedience, not onlie willinglie vudertooke the feruice, bot he hes profequute and followit the fame oute, with grite refolutioun and dexteritie; and that with his awne proper freindfhip and forceis, without ony trouble or burdyne to the cuntrey, in fo far that, whereas it is vfuall throughout the Ilis, in expeditionis of this kynd, that victuallis ar takin without payment, the faid lord wes fo respective of his credite in that point, that haueing fyfteene hundreth men in his company, he tooke fuche ane flrait ordour with thame, that, during the wholl tyme of the feruice, nane of thame durft meddle with ony victuallis, but for prefent and reddy payment. In the profequation of the feruice, he has execute, be courfe of juffice, ten of the rebellis; he has flavne fax of thame; and he has brought heir to the burgh of Edinburgh fourteene, who ar to viderly thair tryall and punishement. He compeirit this day befoir youre maiesteis counfell, and gaif ane accompt of his diligence and proceding is in the feruice, wherin we find that he hes approvin him felf answerable to the truit wes repoifed in him. And whereas he is a young nobleman, and this is the first of his imploymentis, wherin he hes worthelie and dewtifullie difchargeit him felf, we could not forbeare to gif notice of the fame to your maieftic, to the intent, that vf the lyke occasioun of feruice fall oute in the His or Hevlandis of this kingdome, your maieftie may be affured of

one who is both able and willing to ferue your maieftee. And fo, in all humilitie recommending him to your maieftees fauour, and his feruice to your gratious allowance and acceptance, we pray the Almightie God to watche ouer youre facred persone, and to blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Youre Maiesteis most humble and obedyent fubicctis and feruitouris.

GEORGE HAY.
PERTHE.
A. MAR.
MELROS.

MORTON.
ROXBURGHE.
WINTOUN.

Edinburgh, 29 July 1625.

To the King his most facred and excellent Maiestie.

CCCXLV .- THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

Most Sacred Soueraigne,

Whereas your maiestie wes pleasit to recommend vnto ws, the taking of some cair in the Duke of Lennox his affaires, and to foirse that his estate and leving wes prouidentlie and ordourlie managet by the commissionaris intruisted thairwith; wee, according to oure bundin dewtie, wald haif bene most solid to haif gevin vnto your maiestie satisfactioun thairin, bot the absence of Sir George Elphinstoun, one of the saidis commissionaris, and who hes the speciall handling of that mater, hes bene a grite lett and hinder to our proceidingis, seing, without him, wee could get nothing done thairin; quhairthrow thair is nouther compt tane of the chalmerlanis, nor yitt of the tennentis, of whome some ar become

verie poore, and the longer that thair dewtyis ly in thair handis, thair payment will prove the more difficle. And thairfoir, wee will humblic intreate your maieftie, if Sir George be not fhortlie to come home, that your maieftie will mak choife of the Lord Carnegye, with fuche otheris as your maieftie will intruit, with the charge of the faid duke his leving, and hes his conftant abyding in this kingdome, to the intent, the abfence of the one be not a preiudice to the other; and whome wee fall not onlie affift with oure aduife and counfell, in all that concernis that charge, bot wee falbe carefull, fra tyme to tyme, to craue ane accompt of the progres of thair procedingis thairin. Quilk, remitting to your maiefties royall confideratioun, and praying God to blifs your maieftie with mony long and happie yeiris, wee reft

Your Maiesties most humble and obedient subjects and servitouris.

GEORGE HAY. A. MAR. MELROS.

Edinburgh, the first of August 1625.

To the King his most facred and excellent Maiestic.

CCCXLVI.-EARL OF NITHISDAILL TO THE EARL OF ANNANDAILL.

My LORD AND BROTHER.

I HAUE, at this prefent, refavit your letters of the 18 of this moneth, wherby I perfave the humur of our leading men continueth to oppose the kingis directions. Lett tham answer, when they cum heir, for

it. I did think yow had alredie bein wpon yowr iurney; tharfore haift, that yow mey be hear as fone as they. I am forie that yow fheuld have put yowr hand to dyvers letters cum hear from the counfell, fpefiallic anent that of the fettilling the counfell. The foner yow be hear the better; yow mey be confidente, that quhat conferns my felfe, fall be noe dearer to me then what belongs to yow, ather in honour or wtherveyis. From him who fall be alweyis

Your Lordships brother and fervand,

NITHISDAILL.

Hamton Court, November the 28, 1625.

To my noble Lord and Brother, the Earle of Annandaill.

CCCXLVII.-LORD BINNING TO THE BISHOP OF THE ISLES.*

My verie Honorable Good Lord,

I have prefentlie reflaued frome your lordfhips footeman, your lordfhips letter of the fourt of September, from Bredick, fignifeing your lordfhips meffages to the rebelles of Duniveg, the offer to thame, of his maiefties remiffion, and there tryell of the fufficiencie therof, and, nottheles, there delay to give there obedience, till your lordfhip go to lla, whiche now your lordfhip is prepareing to do. I am verie forie of

^{*} The following four articles, relative to the disturbances in the Isles, occur in a volume of MSS, amongst the Balfour Collections, which having been used by the late Mr Gregory, for his History of "the Highlands and Isles of Scotland," was not returned to the Library in sufficient time to enable their insertion at the proper date; they have therefore been placed together at the end of the Collection.

the progres and fucces of that bufynes, which appeares to be mifcarryed, not without your lordships overfight; for when his maiesties commission wes, according to your lordfhips defyre, granted to yow by the counfale, and fuche remiffion exped to the rebelles as your lordfhip required, your lordfhip yndertook, and faithfullie promeifed to the thefaurar depute and me, that your lordship should go in person, with all possible diligence, to Ha, being confident to find readdy obedyance of the rebelles there; and, after your lordships parteing from ws, we delt with your lordships fone to haift after your lordfhip, to latt your lordfhip know that we had perfuaded the Earle of Caithnes to promeis, fo fone as he had performed his vndertaken commission, to tak fordward his shippes, shouldioures, and canones, to affeage and batter the house of Duniveg, yf your lordship should mak ws fpeedie aduerteifment of there delay or difobediance of your charges, as his maiesties commissionar: for which purpose, wee wrote verie particular to your lordfhip, by Duncan Campbell, whom wee fend expreflie to your lordfhip, commanding him, and requeifting your lordfhip, that he should not returne to we whill he had accompanyeed your lordship to Ila; and your the fight of the event of your trauelles, might have reported to ws, by your lordfhips letters, and his owne fight, the certantie of thinges; whom your lordship fend back to ws from Bute, with your letter bearing faithfull promefe, that his jorney should not be necessar, but that your lordship should go prefentlie then fordward, and returne ws good and fpeedy contentment; whereby, finding our felues far difapovnted of our expectatioun, of new, wee derected Duncan Campbell, vpon the 29 of August, with our letteres, whiche wee thoght should have fund your lordship in Ila, and have againe, this tyme, reported the estate of your proceedinges. But now, finding that your lordship is still in Arrane, and begining to mak your preparationis as for ane feruice to begin, we have good cause to regrate the inexcusable losse of so good tyme as the feafou of yeare, whiche brings on vnmendable difficulties, and is lyklie to mak the Earle of Caithnes vnhable to do the feruice, and fo to giue your lordfhip leffe incuragement, and fuch advantage to the rebellis. as may mak his maiefties house, which wes loffed by default of your keepars, to be deteaned by the rebelles, whill the nixt fomer; it beeing more probable that your lordfhips imploying of the cuntrey people to inclose the house shall give thame vexation, nor bring difficulties or neceffitie of onergeveing the house to the rebelles, to whom your lordship hes, befyd the aduantage of there former preparation of victualis, given occasion, by this delay of tyme, to furnishe thame selues with new cornes. Neuertheles, I have delyuered to your feruand the warrand and direction in wrytt, which your lordship craved to Donald Gorme, and shall, with extreame diligence, caufe exped all that you can reafonablic require, for furtherance of your vndertaken charge in his maiesties service. I prav your lordship consider of your burding according to the weaght thereof, and imploy your judgement, frendes, and powar geven your lordfhip by his majefties commission, for the speedy and duetiful performance thereof; for your owne credite and his maiesties honour and contentment, of whose gratious confideration of good feruices no man knowes better the affureance and experiance then your lordships felff. So, hopeing vndoubtedlie that your lordship will stryve, with care and diligence, to amend bypast negligence, and wifheing your lordship happie fucces in this and all other your affairis, I reft

Your Lordships affured freind to be commanded,

BINNING.

Edinburgh, aught of September 1614.

Your lordfhips man hes not had caufe to ftay heere ane houre vpon his answer, and hes reflaued money for his charges.

Indorfed by Lord Binning:

"Copie of my letter to the Bifchop of the Iles.

"8 September 1614."

CCCXLVIII.—ARCHIBALD CAMPBELL TO [LORD BINNING?]

PLEIS your lordship to heir ane accompt of his maiesties ferwice fence my going to Dewling. I cam to Dwling on the twentie of November, where I stayit whill the fowre of December, attending the shiping of two cannons, and one culwring with wtheris necessaris, belonging to his hienes ferwice. My lord, I cannot omitt to remember your lordship, of the gryt cair my Lord Deputie of Ireland did taik, in dispaching, with all diligence, such thing is as was committed to his charge.

On the fowrt of December, Sir Oliver Lambert, commander of his maiefties lyrifh forces, flipit in his maiefties flip callit The Phænix, accompaneit with the Moone, one of his maiefties pinages, a hoay, wherin the ordince wer, and a Scottis bark with wittallis. They cam to Aulderfleit, neir to Knokfergus, where they ankerit, and Sir Oliwer Lambert went to Knokfergus, where he flayit thrie or fowre dayis, attending fum timber neceffer for the ordince, and for fliping a hundereth and fyftie foldioris, who war appoyntit to gard the cannon.

On the thretin of December, at night, they weyghit anker, and did taik faill towards Illa.

On the fowrtein day, about two of the klok in the afternon, thei cam to ane anker in the found of Illa, at the Whit Foirland of Jura. I expectit to have hard of the Livtenants being in Illa, attending the cuming of the cannon, bot for two dayis, I culd not have occasioun to meit with any to demand newes of.

On the fextein day, Donald Gygay, commander of the Ille of Jura, cam aboord where I was in the Phœnix, wha flew me that the liwtenant haid beine for the fpace of fowrtein dayis in two littill iyllis, neire to the caftell of Dunywege, and that he haid retwrnit bot two dayis befoir oure cuming. Likwayis, he flew me that the liwtenant remanit at Duntrown, prowyding niwe wittallis, and wold be redie to retwrne to Illa, fo foone

as he were adwerteifed of the cuming of his maiefties fhippis. I derectit away a letter to the liwtenant, flowing him of our cuming.

On the twentie two day of December, the liwtenant retwrnit me and anfire, and wrot to Sir Oliwer Lambert, defyring him to have a littell patience, and he should be with him, with all possibill diligence.

Sum of the men of Jura and of Illa, wha cam in to fpeik with me, reportit, that a litell befoire the lewtenants cuming towards Illa, thair cam one, callit Grahame, to the caftell of Dunywege, wha fhew the rebelles that he was derectit be my Lord Chancler to receave frome them the pledgis and the hous, and for his warrant, he alledgit to have inftructionis vnder my Lord Chancleris hand, for obedience wherof, the rebelles haid randerit wp the pledgis and the caftell; and that this Grahame haid maid Angus Oge conftable of the caftell.

Hawing not hard frome the liwtenant, how fare he haid proceidit with the rebellis, I flew Sir Oliwer Lambert of the report I haid hard, whereby Sir Oliwer tuik occasioun to writ, and fummond the rebelles to rander the hous. The copie of Sir Oliwer Lamberts letter, I have herewith fend to your lordship, and the rebelles answer to Sir Oliwer.

Sir Oliwer being defyrous to wnderstand the strenth of the castell, and to have a wiew of thair aledgit warrant frome the chanclere, fent Captan Parkins to report to him the trew estait of boith. The copie of Sir Oliweris fecund letter, with the copie of Grahamis aledgit instructionis, I have herewith fent to your lordship. Efter that I haid seine the copie of Grahamis instructionis, I show Sir Oliwer Lambart, that, in my opinionn, all that past betwixt Grahamis and the rebelles was dewisit by Grahame him self, for releif of the pledgis.

What gryt chargis Grahamis dealing hes put his maiestie to, and what gryt paynis his doing hes bred to thos wha followit his maiesties fervice, I leive the report thair of to a better tyme.

On the fyft of Januar, the livtenant met with Sir Oliver Lambert, at the Whit Foirland of Jura, being fowrtein or fyftein dayis afoir, ftayit by contrarie wynds, and wehement ftormes, fuch as Caiptane Buttone, caiptane of his maiesties ship, calit the Phœnix, a worthie gentelman, na thing inferior in knowledge of sea fearing matteris to any in his maiesties do-

miinons, afirmis that he newer indwrit the lyk, nor vas newer in a moir dangerous place.

On the fext of Januar, the livtenant landit in Illa, and immediatlie thairefter fumond the countrie peopil, nixt agifcent, to geve thair compeirance, and to prowyd horffes for his maiefties Yrifhe commanderis and fouldiouris.

Sir Oliver Lambert, at his meting with the livetenant, flew him, that he behowit to have beivis for his fouldiouris, and that he haid not brought no mony with him, for witling of his foldiouris.

The liwtenant causit prowyd thretie fyve beisis, weeklie, for his maiesties Yrishe forces, which thei haid dwlie gewin them. At the liwtenants first landing in Illa, he was bot two hundereth men. On the nixt day thairester, thair cam to him sewin scoir men. On the nynt of Januar, the liwtenant derectit Maister Donald Campbell and me, with aught scoir men, to march befoir him to the castell of Dunywege, and if any of the rebelles wer on the seildes, to persew them, the which we did.

The liwtenant having prowydit horfe for his maiefties Yrifhe companies, wha landit in Illa the nixt day efter the liwtenant landit in Illa, the liwtenant and thei marchit together, on the nynt of Januarj, to Portinellan.

On the tent of Januarij, the liwtenant, and the Yrifhe companies, marchit to the Lagan, fum fowre myll frome the castell.

On the elevint of Januarj, they marchit to Baleneill, which is within a myll to the caftell.

On the twelft of Januar, the liwtenant marchit with his awin companies to Balenachtan, which is within half a myll to the caftell, wher Maifter Donald Campbell and I haid remaynit two dayis befoir. His maietties Yrifhe forces ftayit at Baleneill, in regaird thair was no lodging wher the liwtenant remaynit.

On the fyftein day of Januar, the hoay, with the rest of the shipis that attendit the service, faising onlie his maiesties awin ship the Phœnix, cam to the Ill of Tixa, which is within a myll and ane half to Dunywege, wher, foir the space of too or thrie dayis, thei indwrit a mast wehement storme.

One the auchtein day of Januar, the pillats wha wer fent be Caiptan

Bwttone to wnderstand if thair was any faif ryding at the Iyll of Tıxa for his maiesties ship, went back to him, and shew him thair opinioun of the rod.

On the twentie day of Januar, the liwtenant him felf went in his gallay with a number of boitts, and onlodint the hoy, and the wther fhipis, of the fhoat, pouder, and timber, and fuch wther necessaries as belongit to the ordince, and all thair pickaxis, shoollis, watellis for the fogeris cabinis, and deall boordis, to build houss for his maiesties Yrishe commanderis.

On the twentie ane, the liwtenants boatts attendit as thei did the day befoir one, the twentie, and in the night foure of the rebellis stoll away owt of the castell of Dunywege, wha war receasit be the liwtenant, according to the tennor of his hienes proclamatioun.

On the xxi of Januar, Rannald MacJames, wha haid taikin in the Ille and Fort of Lochgwrme, did rander the fame to the liwtenant, and hes promeift to do ferwice against the rest of the rebelles; in regaird wherof, the liwtenant hes affwrit him and his son of his maiesties favore. Rannald Macsorle, with Donill Baillie, Johne Macdonill Baillie, and Sorlle M'Alaster, vith Donill Baillie, hes randerit them felf, and promeist to do ferwice, conforme to the act of cowncell, for thair remission.

On the 22 day of Januar, the livtenant vent, and Sir Olipher Lambart, weiwing a place for landing of the ordinces, the whiche wes fund owt werrie happillie, although fum what vnder the dangir of the caftell.

On the 18 day of Januar, the Phœnix, his maiesties ship, came to the Ille of Tixa, having indwrit, the Wedinsday before, no les danger, by the extremite of the storme, than all hir worth; and having castin anker neir to the said Ill of Tixa, sho indurit, for the space of thrie dayis, a most wehement storme; so that, if thair haid not bene a better rode sund owt by Caiptane Buttins painfull cair and diligence, than the rode of Illan Tixa is, of all necessitie his maiesties ship behowit to have bene dismissit. Bot he espyit a place, the Lodomes, where his maiesties ship lyis withowt any danger.

On the 23 day of Januar, Caiptan Button did man his awin boat, and ane vther ship boat, and causit the hoay be brought to the place apoyntit for landing of the cannon; the hoay having come wnder the shoat of the

caftell, whiche of all necessitie sho behowit to do, the rebelles did tak thair adwantage, and powrit owt a great many shoate one the twa boats that wer a bringing in the hoay, but no harme was done, praisit be God.

On the 25 day of Januar, the culwring and cannon were landit.

On the 27 day of Januar, the wther cannon was landit, where the livtenant and all his people did labour, as thei did the day befoir, in bringing thame ashoare; and the same day, in the esternone, one of the cannons being adrawing frome the shoare towardes the place where the platforme was to be maid, thei broght the cannon within shoat of the castell, whair of the rebelles, taiking thair adwantage, powrit owt a great many shoat amongst ws, where Caiptane Crawswrd, a worthie gentelman, was shoat in the small of the lege, and within two fex days efter, had his lege cut of be the knie; and within twa houris thairester, he diet. Thair was likwayis, at the same tyme, one of the livtenants company was shoate in the bodie, and leist bot a few dayis. The wther cannon and culwring being brocht wp, and plantit neir to the platforme, all our companies being likwayis intrinchit in the moist commodious pairts round abowt the castell, so as thair was no hoip for the rebelles to eshape be land.

The platforme being finishit, the ordinces were broight and placit, and one the first of February, in the morning, the cannons and culvring played; having thoate many thoates, the rebelles fent up a boy with a lettir in a clofin flick to the liwtenant, defyring him that he wold fend down fum of his freindis to parle with thame; he returnit thair berar, and defyrit to tell Angus, if he wold not cum to him where he ves, on promeis of his faif returne, he should have none of his freindis to parle with him. The meffenger went not fooner back to the rebelles, when thei fent him to the livtenant back again with ane wther letter, defyring him, that he wold cum and meit with Angus, in the midway betwixt the castell and where he campit, he retwrnit the meffenger, and told him as he did before. All this tyme the cannon and culwring plaid, faif onlie fa long as the berrar was in his cuming and going. About fex of the clok at night, Angus wryt to the liwtenant ane wther lettir, defyring him, that he wold, in the nixt morning, the fecund of February, fend to him Sir Thomas Philiphis and Archabald Campbell, and he him felf wold cum

with them to the livtenant where he was. The liwtenant adwylit with Sir Olipher Lambart, what ansure he should maik to him. It was thought expedient that thei should go and meit with him, and with all, the liwtenant shew the messenger that he wold protract no tyme, bot the cannons should play still, faif onlie qubill Sir Thomas Philipis and Archabald Campbell ware in bringing of Angus to the liwtenant: Be this tyme, the rebelles ware greatlie discuragit be the effect of the battrie that was the first day, and fearing that thei wold adventure thame felsis to go away be fea, the luistenant did strenthin his guard, which he keipt on thame by sea the nights preceiding, and directit Maister Donald Campbell, with sum wther special gentelmen, to watch the rebelles by fea that night, and Caiptan Button, wha has beine a willing indeworrer of him felf, to forder the service, did all that night watche the rebelles in his longe boat.

The 2 of February, in the morning, efter manye shoats of the cannon and culvring, the luistenant fent Sir Thomas Philips and my felf, to bring Angus to him as apoynted the day befoir, wha cam with Sir Thomas Philips to the luistenant.

The luiftenant hawing demandit Angus of fyndrie particularis in prefence of Sir Oliwer Lambart, Sir Thomas Philips, and Caiptan Bwtton. Angus told the luiftenant, how he haid, at the defyre of my Lord Chancler, randerit wp the pledgis and the caftell to one callit Grahame, and that Grahame haid commandit him to keip the caftell for the kyng. The luiftenant lett Angus wnderftand, by many good reaffouns, that Grahame, as the luiftenant vnderftood, had no fuche power, no derection, and that he thoight werrille that Grahame haid deceavit him.

At lenth Angus returnit back to his affociats, and promeift prefentlie to come him felf, and fo many as wald fallow him, and rander them felf in his maiefties will. The luiftenant fent with Angus, two gentelmen, to conduct him back frome the caftell. Angus na fooner cam to the caftell, then he returnit the two that were fent with him, defyring them to fhew the luiftenant, that, on no conditioun, wald he rander him felf. Than the ordince was plyed, which haid not fhoat above fevin or eight fhot, when Angus fent to the luiftenant, defyring ane wther parle. The luif-

tenant refuifit to anfuer him, bot commandit me to affure him, that the luiftenant wold heir no moir of his delayis. Abowt fyve of the clok in the evening, Angus fent to me a meffenger, defyring that I wold crane the luiftenants promeis, that the luiftenant [fhould obtain their lives?*] at his maiesties handis; the whiche I shew to the luiftenant, who answering that he wald mak no promeis to any of the rebells, nother wald he remember any privat quarrell of his awin against Angus, bet so for as his place wald command him. All this tyme the cannon and culwring played on the castell, the messenger being on his way to the castell; and Angus, not abill to withstand the seage any longer, was cum furthe owt of the castell, where all that were abowt might see him; and in the midway, Angus being cuming to rander him self, the messenger met vith him, and told him as I have writtin.

Angus hawing cum to the luiftenant, betwix fyve and fex a klok at night, with fum wther of the principall of the rebellis, thei knilit all befoir the liwtenant, in prefence of all that wes thaire, and told that thei wer cum, in all humilitie, to rander them felf in his maiefties will, without any conditioun. Likwayes, he told the luiftenant that fum of the rebelles, wha were in the castell, haid defyrit him to ask if the luiftenant wald be pleafit to affuire them, that thair lyfis fhould be faif wntill thei werre brought afoire the confell. The luiftenant fent me to Sir Oliwer Lambart, to let him know of this meffage. In the meane tyme, the luiftenant directit his beatts to ly watching the rebelles, if thei should steill away be fea, as he did ewerie night befoire. Bot the cuming in of Angus, almost winder cloud of night, and the message he brought frome the rest of the rebelles, as, likwayis, Sir Oliwer Lambert having affuirit the luiftenant, fo shone as it were dark, he wold fend his companyis to lodge wnder the wallis of the eaftell, the which, whill I was my felf with Sir Oliwer Lambart, thewing him the meffage that Angus had broight frome the rest of the rebellis, Sir Oliwer was prowyding his companyes to go to the caftell, and flayed onlie to let thame have a littell meatt, for their haid laborit werie hard all the day befoir,—thos that werre attending the boattis, knowing of all this, it maid fum of them the moire neglegent,

[.] Something has evidently been omitted here.

hoiping that thei thould have littell or no thing ado. I haid no fooner taikin leave of Sir Oliwer Lambert, being on my way towardes the liwtenant, when the rebellis, whit owt in a boat, whiche thei haid fittit for the purpos. Sum of the luiftenants men, that watchit for them by fea, did give them a woillie of fhoat, and Ienehit owt thair boatis and followed them, which the rebellis answerit with thair shoate; fo as the luiftenant, Sir Oliwer Lambert, and all that war one the floare, might fie the luiftenants boattis and the rebellis boate gif fyre to wthere a longe tyme: A rock likwayis neire to the caftell, wherone thair was plantit a number of mufkiteris, did gewe the rebellis, at thair wihing owt, a woillie of thoat. The rebellis boate, being moire fwift then the boats that werre apoyntit to watche them that night, did ower rowe them; and the rebellis boatte being fum what on thight, althoghe werie fwift, thei were forcit to drawe to the narrest shoire thei culd cum att, and landit in the Oe of Illa, where thair boate wes fuink. The luiftenant fent prefentlie efter thame, in eweric corner of the cuntrie, and caufit brek all the boattis of the Ille, fo as thei can not eshaipe.

One the 3 of February, the luiftenant did hold ane justice cowrt, where thaire were, of the rebellis that war taikin in the caftell of Dwnywege, fowrteine hengt. Angus Oge him felf, and Alaster M'Karlye, one of the ringlederis, and two meffengeris, that ar privie to all the rebellis proceidingis, ar to be fent to the counfell, thair to be examinit. I wnderftand by Angus that he hes not beine the first dewysfer of this treassoun. I leave to wryt any moire of this wntill a better tyme. Thair ar fex wha war aprehendit in the Ille and fort of Lochgwrme, to be execut one the fext of February. Thair ware fex of the rebellis that went owt of the caftell, one the boat aprehendit and executt. Thair is onlie, at the writting heirof, foure of the name of Clandonald as yet onaprehendit. Thair ar nyne or tenn of wther clannis, wha war thair affociats, as yet onaprehendit: Thei ar feprat, and the foure M'Donaldis ar be them felfs; and the rest of the wther clams ar ewerie ane be them felfis. Sence my cuming heir, I fand owt a number of images, whiche I have cauffit be bruntt. The religioun that the cuntrie pepill hes heir amongst them is Popishe, for thair is newer a minister in the wholle Ille, except wan poore man, that the bifhop did leave heir. I wnderstand, be the luiftenant, that he hes iust caus to complein of thos wha war commandit to assist him be the proclamatioun.

Dwring the ferwice, thair is nether boat nor bark come from Scotland with any fwrnishing, nochtwithstanding of all derectionis that the counsell gave for the same.

This is the trewe accompt of all that hes as yet proceedit in his maiefties ferwice.

AR. CAMPBELL.

CCCXLIX-SIR OLIVER LAMBERT'S LETTER TO THE REBELS.

That his maieftic should derect his forces, his cannons, and his provision, at this tyme of the yeir, and put himself at so gryt a charge, who a place that is alredie in his subjection, can not but be much doublit by me; and being loth to spend any longer tyme in this, if that ye wryt be trew, I send this my serwant, both to reid your warrant, and to bring me a trew coppie thairof, which your hand, which I expect presentlie, and the saif retwrne of this berar. Frome the Whit Forland, the 16 of December.

Indorfed ·

"The copie of Sir Oliwer Lambertis fecund letter to the Rebellis."

CCCL.-COPY OF GRAHAMES ALLEDGED INSTRUCTIONS.

God Saice the King.

MEMORANDUM OF THE CHANCELERIS DERECTIOUN TO BE OBEYIT.

larst.

To fpeir at the caiptanes of Dunywege, whome thei have to warrand them frome the forces of the kyng of Britanes power and all

thes nationes, wha ar chargit, not only to tak the caftell, but to apprehend them whiter their go.

Secundlie, To defyr the faid caiptanes, in the counfellis name and myn, to rander yow the prifoneris and hous; and yff thei be loth to twin with the hous, that yow mak ane of thair awin chofing, caiptane, till the kyngs will and counfell come till them. This, if thei do without any ferimonies, I promeis yow be word, that the counfell and I fall work at the kyngs hand, to forder any thing refonabill thei wald, and fall fend yow, or any wther, to court for that effect.

Thridlie, If the faid caiptanes, or any of thair freindis, hes any petitions to the king or counfell for a game, let them fend the fame with yow, and ye fall have ane answer back again therof fhortlie, and the counfell fall do for them thairin.

Fowrtlie, If thei hawe done any miforder, that thei wald hawe remiffioun, or fufpentioun, or relaxatioun, bring with yow the informatioun, and thei falbe grantit, fwa that thei obey yow in owr name, quhilk we ar affurit thei will.

Fyftlie, Let thame knaw quhat gryt expensiis the kyng was dryvin to be the feige of Kirkway, quhat gryt anger he conceawit for the fame, and how mercieles all was execut; and if thei hald fwrthe till thei be bot chargit with the Lyoun, no remeid is for thame, and all the kinred in Scotland; and if thair kin in Lyrland gif thame bot cowntenence, thei falbe wterlie wrackit.

Sextlie, If thei obey we in your perfoune, we fall not onlie labour at his maiefties handis for their pardoune, but for their possessions at the kingis hand, fwa that thei pay for the same, as salbe modifiet, and synd catioune for the same.

Sewintlie, If ye will bid my felf be catioun for them, wnder fiche con-

ditiounis, as I have flawin yow, I will not faill to do the fame, and will labor for them all that I may. Sa, wifning yow a hapie jorney. 17 November.

This is the trew copie of the chancleris warrand, receasing from George Grahame, that day I delywerit possession of this castell to thame, in the kyngis behalf. Witnes of our handis, the 17 of December 1615.

Angus Oge Macdonald. Coll Macgilespik.

Indorfed:

" The Copic of Grahamis aledgit Inttructionis,"



ADDITIONAL LETTERS.

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ADDITIONAL LETTERS.

CCCLI.-LETTER, MR THOMAS HAMILTON, LORD ADVOCATE, TO THE LORD SECRETARY.

My lord, conforme to 5our lordships letter, I haue gevin to Mr Adame, 5our lordships ansuer to the questionis, with Johne Knoxis appellation, fa fone as Maister Peter cummis to this towne, I fall get the Frenche discipline fra him and delyuer it to Mr Adam. As to 5owr warrands for the bukes of the presbiteries and session of St Androis, and of the session of Pittenweme, thay will be grantit; bot gif thay requyre secrecie, I wald 5owr lordship caussit wryte thame with ane vnknawn hand, and send thame to me, and therefter I fall causs subscryve thame, and fend thame bak to 5owr lordship; alwayes 5owr lordship hes to consider gif it be expedient to kyth in over mony of these turnis whill the kirk of Edinburgh be provydit, whairin it is brutit that oure auld pastouris hes ane respect to thair returning hame agane, and the king professis planelie as he utterit it in the assemble, that he will haue it vther-

^{*} From the Balcarres Papers.

wayes. It fervis me to wairne 30wr lordship, for whan this is faid I fall do what 30wr lordship resolves to be best.

I have fend to the Clerk of Register for the ficht of the auld commiffion anent the vifitation and reformation of the Vniuerfitie of St An-I hope to get it with fik diligence as he vsis in extracting of all fic maters, and it fall not therefter mowle in my poutche, but fall be fend to 30wr lordship with haift. I vnderstand that his maiestie meanis that Maister Dauid Blak fall be transplantit; bot as to Maister Robert Wallace, it appeiris be that his maiesties felf hes said to me, that the bill is fowlit, and aggreit, for efter that his maiestie had handlit him verie schairplie in oppen affemblie, baith vpoune Satterday and Mononday left. Vpone Mononday, at evin, Maifter Robert came to his maiesties chalmer at ellevin houres at evin, grantand his great overficht, and declairand the fame to have proceidit of the westland woyaige whilk he maid with Maister Robert Bruce at the triumphant visitationis of the kirkis of that cuntrey, with thair mouftouris and wapinfchawings, and vpone ane vniuerfall conclusion had amongis the maist zealous breathren to stryve a qui mieux mieux fould invey againis the papift lordis and his hienes counfellouris whom the breathren fufpectit to be the inbringeris and menteaneris of thaime in this cuntry. In end he promefit that heirefter whan he hard any fik reportis of his hienes or counfall, he fould wryte to the kings minifters thairanent, and conforme to the tryell and ansuer, fould proceid, and na vtherwayes: Whilk condicion feymis to be acceptit, with protestation that his majestie fould nocht mak him the war for ony thing he had fecretly discouerit to him. Patrik Murray causit his maiestie command me to forme his Instructions anent his proceidings in his Northland journay; I answerit I fould fend thame to 30wr lordship not for my awn sweirnes, bot that 30wr lordship fould not be misknawn in 30wr office, nor weir owt of employment in 30wr office. Gif I reffaue the minute of thame, I fall fie ane boy and haift thame to 3owr lordfhip. Tak ordour be 3owr letter to William Mauld, that gif any fik occasion fall furth herafter, he may fend 30wr lordship bearars. Gowr freinds heir ar all weill and better nor zowr felf.

It appeiris be my Lord Eglifchamis returning from Beruik, that ane fleand man will fecht agane, whilk appeirs also be owre brethir, the pastours of this towne. We ar now busie to fatisfie the Inglis ambassadour, and pay him in vther money nor be the delyuerie of our wairdanis, whilk all men is stokkit to refuse. Swa, having no farder occasion at this present, committis 50wr lordship with my gude lady (to whome I wis lang lyse with continuance of hir gude mynd) to the protection of God. At Edinburgh, this 21 May 1597.

Jowr Lordships affurit to be commandit,

MR TIL HAMILTON.

Postscript.

Gif my letters be heirefter confusit and spurrit, I hope 50wr lordship will impute it to his maiesties presence, and the session sitting.

I have reflavit this nicht at evin from Patrik Murray, the copie of the articles fet downe be the affemblie, as Inftructions to the Commiffionaris appoyntit for refoluing and abfoluing of the erles. I beleve 50wr lord-thip will not think it necessar to mak ony farder mentioun thairof in Patrikis Instructions, bot generallie to direct him to concur with the Commissionaris of the kirk to move the erlis to fatisfie and obey thair articles.

Sowr lordship will likways reflaue the copie of the band 5e formit to be subscription be the Erle of Huntlie and his cautionars. It is neidfull that it be renewit, and samekill thairof retranchit as is alreddie performit, omitting his removing furth of the cuntrey, his behaviour, incais of his removing, his keiping of wairde, and sik vther articles as ar all tane away be his satisfaction of the kirk. Alwayes 50wr lordship having considerit

the kings articles minutit be Maister Hercules, and the copie of the kirkis articles, 30wr lordship will consider how mekill will be expedient to be infert in the band aither generallie or particularlie.

The kings articles ar pennit be Maister Hercules, onlie to ferve for information: he begins in the third perfon to fpeik of the king, albeit the Instructions proceids of the king. Jowr lordship will keip the substance and correct the formalitie. In the article concerning the reconciliation of the feidis and grudgis, it feymis gude Jowr lordship direct Patrick to be principall Commissionar for his maiestie, and he to inform the ministers nominat be his maiestie in the last assemble to concur with Patrik according to the information to be given to the ministers be him of the kingis mynd thairanent.

Reffaue the commission for visitation of Collegis in anno 1578. The Clerk of Register fays 3e haue alreddie ane commission laitlie grantit to 30wr felf.

Efter advyfement, gif 50wr lordfhip will collect ane forme furth of baith the formes, with fik additions anent your inquifitioun, creation of 50wr procutour fifcall, and ficlyk heads, and fend it over to me, it fall be paft with 50wr vther warrands.

I pray 50wr lordfhip fend bak Patrik Murrayis Inftructionis als fone as they may be reddie. *Iterum atque iterum vale*.

To my verie gude lord, my Lord Secretare.

Indorfed,

"My Lord Aduocat, anent the Erle of Huntlies directions, Ministers, &c. Martij 21, 1597."

- CCCLIL.—INSTRUCTIONIS GEVIN BE HIS MAIESTIE TO PATRIK MURRAY, GENTELMAN OF HIS HIENES CHALMER, TO BE DONE AND PERFORMET BE HIM IN THE NORTH PAIRTIS OF THIS REALME, QUHAR HIS MAIESTIE HES PRESENTLIE DIRECTIT HIM, FOR ACCOMPLISING OF THE SERUICES VNDERWRITTEN.
- 1. Inprimes, forfameikill as the generall affemblie of this realme, hes grantit commissione to certane ministeris to absolue the Erllis of Huntlie, Anguis, and Erroll, fra the sentence of excommunication, the faidis Erllis first fulfilland certane conditionis, inioynet to them be the faid affemblei; quhilkis conditionis being maist reasonable, tending alutterlie to the glorie of God, and to the auancement of the trew religione, quharby ve of our principle dewtie, hes maist special entres to sei the samin accompleisset: Thairsoir 3e in owr name sall be present with the saidis Commissionaris of the Generall Assemblie, at the dayis and places appoyntit, to the effect 5e may sei, and report again to vs sufficient documents anent the actual suffilling of the saidis conditionis in ewrie head and article therof, according as they are set downe in the said act of the Generall Assemblie.
- 2. Secundlie, 5e fall prefent to ewrie ane of the faidis thrie erllis, the coppie of the generall band, and requyre them in our name to fubferyue the fam, and to find fufficient cautioneris for ther obedience to vs, and for ther keiping of our pace and guid ordoure in the cuntrie be them felfis, ther kin, freindis, feruandis, and tenentis, &c. conforme to the faid generall band in all poyntis, ilk ane of the faidis erllis, vnder the paine of tuentie thoufand pund, as dyners vtheris of our nobilitie of ther ranke, and vtheris cheifis of klanis hes done of befoir; for the quhilk effect 3e fall refaue letters directit be vs, and the Lordis of our Secret Counfell, to chairg the faidis erlis, and eurie ane of them, to fubferyue the faid generall band, and to find fufficient caution for obferuing therof; quhilk band and obligatione, fua fubferyuett be them and ther cautioneris, 3e fall

[.] From the Balcarres Papers.

report agains to vs, to be registerit in the buikis of our Secreit Counsall: And gif ther be ony dowt, that ony of the faid cautioneris is not responsable, 5e fall aduertees vs, and our counsall therof, that 5e may knaw our aduyce therin.

- 3. Thridlie, in refpect of the fklander be my Ladie Huntlies plaine professione of papistrei, 5e fall in our name, baith requyre hirself that scho vill fusser hir felf to be instructit in the trew religione, and to cum to the opine professione therof; as also, 5e fall requyr my lord hir busband to daill vith hir ernestlie heirannent, that his lordship's hous may be klengeitt of all sklandrus suspicione of papistrie.
- 4. Fourtlie, forfameikle as be the following of ewill counfall, dyuers trubbilis hes aryfin in that cuntrei; qubairin the faid Erle of Huntlie is in the place of ane fhireff and magistrat vnder vs, quhairby he hes maistmifter of guid counfell for auancement of our feruice, and keiping of guid ordour in the cuntrie; quhairfoir 5e fall schaw to the faid erle that it is our vill to appoynt to him, ane counfell of barronis of the best affectit, and maist zelus in relligione, vith sum godlie ministeris to be adioynit vith them, quhois aduyce the faid erle fall subget himself, to follow in all veclutie affairis of the cuntrie, and concerning our publict feruice, according to the particular names of the faidis barronis and ministeris, quhairof ve haue gevin 5ou ane seuerall tikett subscripted vith our hand.
- 5. Fyftlie, for fameikle as our feruice is grytumlie henderit be the deadlie feadis among our fubietts, for reconfeiling quhairof ve fett downe ane generall ordour, to be followet out in all the pairtis of our realme, quhilk as zit hes tane na effect in the faid north pairtis, be reafone of the trubilis, albeit praifet be God vith our gryt paines and trauelis, the faid ordour hes produceit ane reafonable quyetnes, in all the remanent pairtis of our realme. Thairfoir ze in our name, as hawing our fpeciall power and commissione to that effect, fall earnestlie deall to tak vp all the faidis feadis, betwix quhatsumewer our subgetis in the faid north pairtis; in the quhilk

commissione ve have affociat with 50w, Mr Dawid Cuninghame, Bischop of Aberdeine, Mr Peiter Blakburne, Mr Robert Howie, Mr Johne Forbes, Mr Johne Strawqnhan, Mr George Hay, ministeris, and Mr Dauid Reat, principall of the college, quhom ve haue commandit be thir prefentis, to affift 50w be ther trauelis and mediation in the faid guid vark, for appoynting and reconfeiling of the feadis betuix my Lord Huntlie and my Lord Forbes, the Laird of Drum, and yung Frindrach, and betuix the Erle of Erroll and the Laird of Ludquharne; betuix the Lairdis of Geicht and Benholme; betuix the Lairdis of Clunnie and Korfindaie; betuix the Laird of Boquhen and Villiam Stewart, and fik vther feadis quhairof 5e fall refeaue information in the cuntrie. And for the better accompleting of the premis, 5e fall refaue and caws execut letteris, directit be vs and the Lordis of our Secreit Counfall, to chairge all the faidis perfonis to fubfcryue aflurancis, ilk ane to vther, in the commowne forme, the faidis affurancis to induir and left qubill the first day of Apryll nixt to cum.

CCCLIII.—THE REPORT OF THE MINISTERIS QUIIA WER APPOINTIT TO INTREIT WITH THE ERLE OF HUNTLIE.*

WE, the minifleris of Angufs, Mernis, Aberdene, and Murray, appoyntit commissioneris be the last generall assemblie haldin at Perth for tryall of the Erle of Huntlyes obedience to the particular iniunctiouns fet down be the fayd Assemblie, and imponit to his lordship, for declaratioun of his repentance for the offences committit be him, as thay ar mentionat in the faydis directiouns, testifie and declair that we have fund him obedient and willing to fatissie in all humbill manner to continew and perfeueir in his earnest fuit for reconciliation of the kirk, and estir lang conference and ryip adultisement to have confentit to the fulfilling of the faydis hail conditiouns, quhair of the particulair answers follows.

[·] From the Balcarres Papers.

- 1. The first is obeyit, for his lordship compeirit at Aberdene the xxij of Marche appoyntit, and thair abaid awaiting doctrine and conference to the haill commissioneris appoyntit were fatisfied with his resolution.
- 2. The brethren appoyntit to deall with him brocht his lordship, eftir reffoning ane convenient space, to allow all the weritie in the hail groundis of resolution affirmative resoluti his dout be the word of God, and mowit his lordship with knawlege to refuis and deteist all heids of papistrie contrair to the same.
- 3. He acknowleges the reformit kirk of Scotland to be the trew kirk; he is content to declair his conjunction to the kirk of Scotland, in the worde, facramentis, and discipline, as they are authorized be his maiestic and estaitis presentlie in fik manner as the kirk fall think maist expedient.
- 4. He is reddie to fueir and fubfcrywe the confessioun of faith in prefence of the haill commissioneris, fa sone as thay fall cum abak with power to pronunce his absolutioun.
- 5. In fignificatioun of his obedience to this article, he hes declairit to the haill commissioneris, that fen he enterit in dealling with the kirk he neuir intercommonit, be word or writ, with ony Jesuit preist or excommunicat papist, except sa mony as ar vnder conference with the kirk, and is content to byid therat in all tymes cumming, ficlyik he sall baneis out of his cumpanie and haill boundis in the quhilkis nane sall hawe ressait that ar professit enemies to the religioun be his knawlege, and sall giwe his writtin band as the article prescrywis, except sa mony excommunicat papistis as the kirk sall guve licence to deall with.
- 6. He is content now or heirafter to fatisfie for his apostasse in the place appoint at the discretioun of the faydis commissioneris.
- 7. He declairit his wnfeinzeit greiff for committing of the flauchter of the erle of Murray, and will fatiffie the pairtie be the fycht of the kingis maiestie, of the kirk, or of godlie and indifferent freindis: will mak offeris to that effect, lyik as he hes gevin ane blank to his maiestie to be filled vp with particulair assyithment.
- 8. He promifis now or heirafter to craue of God mercy for the faid flauchter, quhen, quhair, and how, the kirkes commissioneris foirfaydis fall appoynt.

- 9. At the defyir of the faydis commissioneris he presentlie remittis all rancour and malice confauit be him for any occasioun or deid offerit to him be the cuntrey men in the kingis service, and promittis vpon his sidelitie newir to quarrell ony for the same within these boundis, and speciallie none of the ministrie, ether north or south.
- 10. He aggreis that thir prefent commissioneris, or fa mony of the haill thre provinces as fall be meittest for the wark, with the lairdis of Pitlurg, Clunie, * fall fet downe ane ordour for provision of his kirkis, quhilk he promises to execute immediatelie eftir his absolucionn.
- 11. Be the aduyce of the faydis commissioneris he promittis to tak ane minister, and to entertein him in his awin house.
- 12. He confession that be his public offences be gave sufficient matter to the kirk to have deducit the sentence of excommunication agains him.

[Indorfed]

"Copie of the Articles fubfcryveit be the Erle of Huntlie, 1596."

CCCLIV .- LORD BINNING TO THE KING. †

Most Sacred Souerane,

What wes proceided in the Nationall Counfall kept be your maieflies permiffion the laft oulk in this towne was fignified be my letters of the 18, no mater of moment then refting to be concluded, bot the Marqueis of Huntlies abfolution, who cumming to this towne vpon Tyfday at night as wes appoynted, yesterday the two Archibischoppis, the Bischop of Brechin, your maiesties deputie thesaurar, the laird of Cors, and I, went to the Marqueis his ludgeing, and eftir two or thrie houres conference, agried vpon the maner of his absolution; and meiting in the afternone in publict assemble, that mater being proposed and modestlie rea-

[·] Sic in MS.

[†] This letter, and the remaining ones, are from papers relative to Church affairs, MS.

foned be fum of the precifeft fort, the Archibifchop of Santandrois replyed fo wyfelie, and made fo tymelie vfe of fum claufes of your maiefties letter from Nottinghame, which be gude fortune came to his handis that fame day, that in end the abfolution wes concluded, and the marqueis compeirand, and granting his bypaft offence, promeifing conftant perfeuerance in the trew religion, which he thair acknowledged, and fubfcryved publiklie the articles thairof, exhibited to him in prefence of all the affemblie, he was abfolued, to the exceiding great joy of all that wer prefent. This is one of the workis of your maiefties most excellent wisdome, whairfra all men expect gude helpis, to the peace of the eftate and churche of this kingdome. All your maiefties vther directions, being most just, reafonable, and proffitable for the cuntrie, wer allowed with fuch humilitie, hairtineffe, thankefgeving and prayer to God for your maiefties preferuation, and long and happie raigne, as your maiefties caire of the vniuerfall good of the kingdome does obleis all faithfull fubicctis fincerelie to wish. Many haue approuen thamefelues duetiful in this feruice; bot I owe particular teftimonie to the Erle of Montrois his affectioun, and to his graue and honorable behauiour; and to the Archibischop of Santandrois his modestie, pacience, wifdome, and trauellis, whairby he fo conteaned the whole number within the boundis of duetie and obedience, as did greatlie facilitat the good fucceffe of the buffines. So, wishing the lyke in all your maiefties intentions and directions, and that God may be gratiouslie pleafed long to bliffe ws with the continouance of your wyfe, juste and gracious raigne, I reft

Your most facred Maiesties most humblie, faithfull, and bund feruand,

Aberdene, 22 Aug. [1616?]

BINNING.

CCCLV .- LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I thought no meane fo fit to mak your maiesties gude pleasour and expres command to your counsall and principall officers to hald hand to the approbation of the approcheing Generall Assemblie of these articles proposed to your maiestie, being in this cuntrie in churche maters knowne to the counsall as be publict reading of your maiesties letter in counsall, which thay all acknowledged so wyse and just, as thay with hairtie consent all promeised to advance it to thair vitermost, and not onlie to withdraw thair fauour and countenance from any who sould oppose thame selfis, but also to concur with the prelats in the punishment of such as thay sould find wourthie of censure, which I am persuaded thay will due-lie performe.

Vpon the first of this moneth we convened, to give beginning to the commission for plantation of the churches; bot the most pairt of the commissionaris being absent, we wer forced to continow the dyet to the sevent, and directed summar chairges of horning agains these who wer absent, and not lawfullie excused; bot thay ar since cum to this towne in sufficient number to keip the day appoynted, and as thay fall proceid, your maiestic sall be aduerteised.

The commissionars of the rentis haue had before thame the vnder refauers of the custumes at the feuerall portis of this kingdome, and haue appoynted thame to vplift the custumes to your maiesties vfe, intending to mak feuerall takkis thairof, if thay fall heirester find responsal pairties who will offer profittable condicions for thame to your maiestie; and becaus none can be tryed to mak any gude offer for the impost, thay ar in hope to get thame so exactlie vplisted, as your maiestie fall hane the full commoditie thairof, with less losses that year, nor if thay sould have yeilded to ane tak, with diminution of your maiesties accustumed rental thairof.

The bourrowes have fent thair commissionars to this towne to consult upon the motion of transport of our natiue commodities in cuntrie bottomes, with prohibition to strangers so long as thair is any of oure owne schippis to serve: thay ar to exhibit thair ouvertures thairanent the next oulk, which fall be sent to your maiestie with diligence.

The Generall Affemblie is proclamed to be kept at Santandrois the 25 of this moneth, whairin wishing your maiestie contentment, and perfyte happines in all your vther royall diffeins and affaires, I rest

Your most facred Maiesties most humble, faithfull, and bund feruant,

BINNING.

Edinburgh, 7 Nouember [1617?]

To the Kingis most facred Maiestie.

CCCLVI.-LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

My former letters told that the Archibifchop of Santandrois, his going to Fyffe, for preparation of the Generall Affemblie, had difcontinowed oure proceiding in the commiffion for plantation of churches, whill the first of December; befydes the appeirance that the Seffion fould be interrupted during the Affemblie, in respect of that number of ordinar fessionars, which is appoynted to affist your maiesties commissionar at that meiting.

The counfall, obeying your maiefties direction, wrait fyftene dayes ago to all these of your Counfall or Session, whom your maiestie ordaned to be at the assemble; and in particular to the erle of Montrois, designed Commissionar be your maiestie, to keip the prefixed tyme.

This day my lord Chancelar reflaued ane letter from him, bearing, that, albeit he be most willing to ferue your maiestie in all that can be inioyned to him, yet his indisposition is so great as he can not be able to trauell, nor ferue at this tyme in that chairge; which, being communicat be my lord Chancelar to the Erle of Mar, and sum vthers of your maiesties councell, we presentlie wrait to him earnistlie desyring that, all excuses set asyde, he fould accept and dischairge that commission, which your maiestie had trusted to him; and with the lyke diligence, wrait to my lord of Santandrois of the Erle of Montrois his excuse, and of oure desyre to know his opinion, what was sittest to be done for your maiesties satisfaction, and performance of your maiesties intentions, whoes speidie ansure we expect; and what sall be resolved and done heirintill fall with all convenient celeritie be signified to your maiestie. So, prayeing God long to prosper and preserve your maiestie in all wished contentment, I rest

Your most facred Maiesties most humble, faithfull, and bund subject and feruant,

BINNING.

Edinburgh, 20 of November, at night, [1617?]

To the Kingis most facred Maiestie.

CCCLVII .- LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

In the affemblie now diffolied, nothing wes proposed but the articles fent be your maieftie. Ane great pairt of the ministers wer so wilfullie inclyined to have the haill differred at this tyme, to the effect thay might have laifer and opportunitie, be reiding the fathers and coun-

fals, to refolue, if with gude confcience, and without fcandall of inconflancie to the kirk and thamefelfis, thay might yield to the alterations and nouelties which thay imagined the articles to imply, that it wes verie difficill to my lordis of Santandrois, Glafgo, and remanent bifchops, affifted be the wyfeft and learnedeft of the ministrie and your maiesties commissioners, to induce the difordered multitude and thair leiders, to determine vpon any particular, and fo being driven to the extremitie aither to diffolue the affemblie without any maner of progres, and with manifest diffension, or to mak vse of the best expedient the tyme could produce in the determination of fum of the articles, all the best affected to your maiefties feruice thoght it expedient to accept what wifdome and authoritie could gayne at this tyme, and leive the reft vnder hope and promeis of fatiffaction at the next affemblie; and fo the article of geuing the communion to the impotent and dangerouslie feik in thair privat houses, and delineric of the elements owt of the ministers handis to the people at the publict celebration, being obteaned in fuch maner as the formed articles to be fent to your maieftie, be my lord of Santandrois beares. When the article of the holie dayes wes of new vrged, the defyre of delay wes fo vninerfall in that and the reft of the propositions, that the bifchops wer forced, for feare of ane direct refufall, to yield to the continuation, vpon promeis maid be the most pairt of the pretended precifians, that thay wald vie all possible endeuors to prepaire thame felfis, with confent of thair well informed flokis, to give your maieftie fatiffaction at the nixt affemblie. My lord of Santandrois' feare of your maiefties offence be delay of your fo just and godlie defynes, maid him fo paffionatlie infant, as he could feaircelie be induced be any perfuafion to accept any dowtfull or delatorie anfuer, and moued him to threaten thame with your maiefties refolution to ordane be actis and penall proclamations aganis the contravenars, to have all these articles vndelayedlie obeyed, fchawing to thame how difgracefull it wald be to the Kirk of Scotland, in the jugement of all the reformed churches in Europe, that our ignorant and obstinat refusall of fo godlie and laufull propositions, fould force your maieftie, be your Christian authoritie, to compell thame to do that which thair duetie fould have moved thame to embrace,

with thankfull acknowledgement of your maiefties caire to have the abufes of oure churche difcipline reformed, and rightlie conformed to the vniuerfall order of all the reft of the true Christian Churches in Europe; bot the rest thinking the delay, with assured hope of satisfaction, les hurtfull nor ane abrupt and contradictorie dissolution, which we all most humblie wish that your maiestie may graciouslie allow, since we ar considentlie persuaded that the nixt meiting fall give your maiestie contentment, speciallie if your maiestie grace the nixt assemblie with commissionars of greater sufficiencie and authoritie; albeit I may assirme and hope the bischops will testifie that these who wer at this tyme imployed wanted no gude will to give thair best concurrence. So, wishing to your maiestie manie happie yeires, that we may enjoy the constant frutes of your most prudent and gracious regne, I rest

Your most facred Maiesties most humble, faithfull, and obedient subject and feruant,

BINNING.

Santandrois, 28th Nouemb. at night [1617?]

CCCLVIII.-LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

This day certification is granted be the counfell aganis the Erle of Argyle, and he ordaned to be denunced and repute as ane traitour for not compeirance.

The commissioners for the bourrowes and schipmaisters have been before the counsell, and their controuers, for exportation and importation of merchandice in cuntrie bottomes, is to be determined before they go from this towne. I fignified to the counfell your maiefties pleafour anent their repairing to fermon vpon the Soundayes, to your maiefties chapell of Halyrudhows, which they ar willing to do, and wald have done alreddie, if the Bifchop of Gallowayes heavie feiknes had not hindered him to preache this tyme bygane. He promeifis to aduerteis the counfell when his recoverie fall inable him to preache, and they to refort to it as your maieftie hes commanded.

All other directions fignified be me to the counfell be your maiefties commandement ar obeyed. So, praying God to establish the perfyte happines of your faithfull subject heir, be the wished lenth and number of your maiesties most prosperous yeires, in health and contentment, I rest

Your most facred Maiesties most humble, faithfull, and obleissed subject and servant,

BINNING.

Edinburgh, 4th Feb. [1618?]

To the Kingis most facred Maiestie.

CCCLIX.-LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

At oure cumming to this towne, finding that the most precise and wilfull Puritanes wer chosin commissionars be manie of the presidence, speciallie of Lowthian and Fyse, I wes extreamlie doubtfull of the succes of your majesties religious and just defires. At the privat meiting of your maiesties commissionars and the bischops, my Lord of Santandrois denied not the apparent difficultie, bot declaired that, being hopefull, that the happines which alwayes accumpanied the justice of your royall diffeins

wald not faile in this action, he thought the victorie wold be more perfyte, and the obedience more hairtie, when the Puritanes fould fie the articles concluded in the prefence of thair greatest patrons, thair opinions being confuted be liuelie reasons and vadeniable trueth.

The fermon before the Affembly wes maid be the Bifchop of Aberden, who, with great dexteritie, proponed the weght of the pourpofes to be entreated, and the necessitie of confideration, that the bodie of the Church being affembled be your royall direction for treating of articles proponed be your maieftie, first to ane number of the principall ministers at Santandrois, and thairefter in the Affemblie at Santandrois, your maieftic had confaued great offence for the delayes then yfed; and being perfuaded in your excellent wifdome and confcience, that the articles wer just and godlie, and onlie felifted becaus thay wer proposed be your maieflie, be fuch as had gloried to be opposite to your facred defires, it wes to be feared, if, at this tyme, your maiestic fould not restaue satisfaction, your wraith might be fo kindled, as the Church, loufing your wounted fatherlie fauour, thay might feill the heavie prejudice of that confequence. And thairfore exhorted thame, in humilitie, zeale, and Christian loue, to difpose thameselues to proceid wiselie, and with all due respect to your maiestie.

At the meiting of the Affemblic, the Archibifhop of Santandrois made the exhortation, and be ane most godlie and wise discours, remembred the auditouris of your maiesties infinit benefites to the Churche, your wisdome in thair direction for the keiping of puritie, and suppressing poperie; your patrocinie of the good, mercie to offenders of thair profession, caire for prouision of mentenance to passours, and learning and zeale in defence of the true Religion be your most famous workes published agains the aduersars, which had incensed the Papists to think your maiestie the onlie lat of thair prevailing; and for that onlie querrel, to feik, by treacherous meanes, the trouble of your estate, and destruction of your facred person: and the true professours throw all Europe to honour your maiestie as the protectour of all the Reformed Churches, and to acknowledge your maiestie the vmpire, and most competent and best qualified juge of all controuerses arrising among thame. Exhorting,

thairfore, eurie one to confider and acknowledge how juftlie thay wer bund to expresse thair loyall respect and true obedience to your maiestie, by yeilding to your laufull desires in the articles proponed.

The exhortation ended, he called the commissionars, and nominated thefe for the conference. Sum proponed that ane moderator might be chofin, whom he filenced, becaus he wald not fuffer the privilege of his place to be questioned: And thairefter rehearing what had been done in the Affemblie at Santandrois, and wittelie taking it pro confesso that all the articles wer in fubstance allowed thair, except that of kneeling at the communion, proponed that to be difputed. Great inflance wes maid, that, the mater being of fo heigh confequence, might be entreated in the publict Affemblie, but the contrare wes ordaned. Difficultie wes maid anent the conception of the wourds of the question, and the opposities vrged that reafons might be geuin why the article wes necessar. It wes anfuered and concluded, that the articles cumming from your maieftie fould be allowed, vnles thay could proue it wer vnlaufull. So Maifter William Scot of Couper, being commanded to fpeak, opponed aganis the article with modeftie, and proteftation that he wold be vnwilling to adduce reasons to impugne ane propositioun cumming from your maiestie: and thairefter, proceeding to his arguments, wes fecunded be Maifter John Carmichell, with more vehemencie and wilfulnes. They alledged that the ordour prefentlie observed in this cuntrie being agreable to the wourd, and Chrystes institution, and thay sworne at thair admission to the ministrie to observe the true religion and discipline ressaued in this Church, thay could not with faif confcience alter it: which being cenfured, thay came to the fubftance of the queftion, anent the maner of reffauing, and fpent the rest of that day, and ane part of the nixt, in disputation vpon that fubiect. Nothing being omitted be the adverfars, which thair owne inuentions, or the writings of thefe who allow thair opinion, could fuggeft; which being wifelie and learnedlie refuted be my Lord of Glafgo, whom Doctour Lindfay of Dundie, and Doctour Philp of Arbroth, Doctour Bruce, and fum vthers of the best and most learned, did assist, with manie evident and pithie reafons, the article wes ordaned to be voted in the conference, and in end allowed be fo great oddis of voices, as

gaue wonderfull contentment to all the well affected; yet the number of the vulgar ministers having vote in the publict Assemblie being verie great, oure dowt rested what the euent might be, of that which depended vpon the opinions of ane multitude of ignorant or preoccupied people. For remeid whairof, my Lord of Santandrois, who, in direction, disputation, and all other circumstances of this action, expressed great wisdome, learning, and autoritie, well beseiming his place, delayed the voting the fecund day, that he and his brethren might have sum tyme to dispose thing is to ane wished end.

This day the bifchop of Galloway maid ane verie pertinent fermon, to perfuade the brethren to peace and edification. Thairefter, the Affemblie convening, new diffurbances wer cassin in to reinuerse all that wes done in the conference, and bring it of new to disputation, so as my lord of Santandrois wes forced to permit all the articles to be of new reasoned; and if he had not be very graue autoritic reduced thair discourses to surpose to force and formell reasoning, it had bene impossible to bring maters to any conclusion. Sum oppositions maid yisterday wer this day repeated, and litle of any substance added be fuch as wer not of the conference, all which wes judiciouslie and perspicuouslie resulted be my lords of Santandrois and Glasso, and doctours Lindsay and Philp, whoes faithfull and proffitable endeuours merites your maiesties gracious remembrance.

If complaint be maid be maifter John Carmichell, that I wold not fuffer him to enlairge his difcours of the ancient controuerfie, betwix the eafterne and westerne church, anent the precise day of Chrystes birth, I must have recours to your maiesties mercie.

In end, my lord of Santandrois, cutting fehort thair affectat fchiftis, whairby thay intended aither to difapoint the mater, or to perfuade the Affemblie to remit it to ane vther meiting, he ordaned this proposition onlie to be voted, whether the Affemblie wald obey your maiestie, in admitting the articles proponed be your maiestie, or resuse thame. Sum instited to haue thame seuerallie voted, bot both he and the deane of Winchester (whose diligence, discretion, counfall, and gude affistance in this feruice, hes bene faithfull and verie commendable) declaired that your maiestie wald resiaue none, if all wer not granted; and so being put to

voting in thefe termes, fourefcoir and fex allowed the articles, fourtie and one refused thame, and three wer *non liquet*.

My Lord of Scone antiquum obtinet, and will neuer aberrare a via regia. My Lord Carnegie, the thefaurar depute, aduocat, Kilfyth, and Sir Andro Car, have done that faithfull dewtie which became thame.

The Erle of Louthian, the Lords Sangubar, Vchiltrie, and Boyd, did lykwayes attend, with ane gude number of honorable and well affected barons; bot the prayle of the fucces being onlie due to the wifdome of your maiefties directions, the wourthieft inftruments have bene the two archibifchops and the bifchops of Galloway and Aberdene, and remanent of thair effate, of whom none wer negligent or remiffe, bot profesfedlie refolued in the advancement of the action. Many ministers kythed verie dewtifull both in reasoning and voting; but all these particulars I must remit to the deane of Winchester's relation; onlie affuring your maiestie, that albeit the contention was vehement, both in the conference and publict affemblie, yet efter thay wer voted, thair appeired great contentment in many gude mens faces, for the happie and peaceable approbation of your maiefties articles. If your continouall caire of the good of this cuntre and churche moue your royall mynd to intend heirefter any church maters of fuch confequence, I befreeh your maieftie, for the good of your owne feruice, to employ ane more fit commissioner in my place, who am als vnfkilfull in thir fubication as I am vngratious to the opposites. So, thanking God for the bliffed end of thir affaires, and praying him that your maiestie may long liue and happelie prevaile in all your royall interpryfes, I reft

Your Maiesties most humble, faithfull, and bund feruant,

BINNING.

Santiohnfton, the 27th of August, at night, 1618.

To the Kingis most facred Maiestie.

CCCLX.-LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

Your maiefties counfell in Scotland hes exped and fent hether the commission for treating with these of the Lowe Cuntries, anent the sistengis, together with information of the iniurie and prejudice sufteaned be the whole kingdome, be the encrease of their daylie vsurpation in your maiesties seas, and of manie wrong done upon land in Orknay and Zetland to divers your maiesties subjects; but because the complaints ar generall, I have writtin to cause specifie the particulars, and the meanes of probation of the same.

The note of the counfels proceidings fent heirwith will testifie to your maiestie their exact diligence in all that does concerne this treatie, and in the execution of your royall commandements aganis the erle of Argyle. The Vicount Fentoun will mak knowne to your maiestie the estate of his escheat and lysrent, which is in his brothers person.

Now, fince the prefence of the commissionars for the Lowe Cuntries is liklie to giue beginning to the treatic, I most humblie beseik your maiestie to let the commissioners for our cuntrie know the groundis which your maiestie will command we to keip, and the poyntis we may vrge, which we fall stryue to observe with all sidelitie and caire. The Marquis of Hamilton, whom your maiestie hes appoynted to be of that number, being particularlic informed be your maiestie of your pleasour in the premissis, will be witnes of oure endeuours in the prosecution thairof. So, wishing that God may continow his grace and fauour in this and all your maiesties affaires, and prorogat your health, lyse, and contentment manie happie yeiris, I rest

Your most facred Maiesties most humble and faithfull subject and feruant,

BINNING.

[Postscript.]

Pleafe your maieftie, when I wes closing this letter, I received from the Archibischop of Santandrois ane letter adverteising that, vpon information of fum disobedience liklie to kythe in fum ministers aganis the actis of the last Assemblie, he had trysted the bischoppis to meit him at Edinburgh, whair they have ordaned the copies of the last actis to be fent to the presidence, with expresse command to them to obey them.

They earniftlie defire that your maieftie may be pleafed to fend expressed command by letter to Mr Alex Gibson not to give owt letters to any minister vpon the late modifications appointed be the Commissioners of parlement, vales the ministers produce their Bischops testimoniall of their conformitie to the actis of the late Assemblie, which direction requires great haift.

Whythall, 28 Nouember, [1618?]

To the Kingis most Sacred Maiestie.

CCCLXI.-LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I know your maiestie will expect from me true and timelie relation of the observation of Easter day in this towne. The accompt of the performance of your maiesties directions, conteaned in my last, fent to James Douglas, to be schowne to your maiestie, told, that the privie counsallours absent, whose dwellingis wer neir this towne, wer, be my lord Chancelars letters, defired to cum and accumpanie the nomber present, who wer to communicat heir according to your maiesties commandement. The Erles of Mar, Winton, Louthian, Lordis Fleiming and Bukcleuch,

came; the reft wrait thair true excufes of aige or feiknes. Vpon Setterday, I defired the lordis of feffion to convene vpon Eafter day at my lord Chancelars ludgeing, that all the number might accumpanie his lordthip to church. The lyke wairning was fent to the privie Counfellours being in towne, who did as they wer defired. Maifter Andro Ramfay made the fermon of preparation, and vfed verie good reasons to perfuade the people that, with fafe confcience, they might, and in Christian duetic they wer bund, to obey that which was ordaned be the Aflemblie, and commanded be your maieftie; he having done the fame vpon Good Fryday. Maifter Patrik Galloway preached vpon Eafter day, who omitted no good meanes to inftruct the people of the lawfulnes of the ordour preferyved, and neceflitie of their obedience and conformitie; and thairefter going to the celebration, the nobilmen, counfellours, and feffioners, going to the first table, all vpon their knees, maisters Galloway and Ramfav did first receive kneeling, and thairester ministred to the honorable perfons being at table, geuing the bread and wyne to euerie one with their owne handis, with the recommendation and fubftance of the holie facrament, fo zealouslie as moued the people to receive with great humilitie and deuotion; whoes exemple wes fo uniformellie followed be the whole congregation prefent, that neither man nor woman, during the fpace of almost foure houris, offered to receive fitting upon the furmes, except one onelie baffe fellow; and I am perfuaded that all that did fie that holie action, or participat of it, depairted fo well edified that, in their confcience, they regrait that this godlie and deuote order wes not foner instituted, and that in all their lyfe, they will neuer willinglie receive in any other maner. Sum who wer in the Colledge Churche haue told me, that the lyke order wes observed their be maister Williame Struthers and maifter Thomas Sydferf, with the lyke conformitie and contentment. It is true that many of the citizens of this towne, speciallie of the women, wer abfent at other churches, bot the magistrats prefent gaue verie good exemple to the reft. This good and peaceable beginning perfuadis wyfe men, that it will not be in the power of fum obstinat puritanes any longer to diuert any good Christians from embraceing this godlie and reverend inflitution. Of thir maters, and of the behaviour of the people in the reft of the cuntrie, your maieftie will heare farder from the Bifchops, who ar attending their chairges in their feuerall diocefes; and if the ministers do their dueties, according to the good exemple begun in Edinburgh, I hope your maiestie fall have no necessitie to vse authoritie or rigour, bot that God, who hes blessed all your maiesties godlie resolutions and just commandements, fall bring this holie diffein to ane peaceable and wished perfection, and continow to we the blessing which, be your maiesties wyse and religious government, we have enioyed, in more accomplished and constant measure, nor any nation on earth, so long as He sall preserve your maiesties health and lyse, which I earnistie pray may be to the longest periode granted to any mortall man, as

Your Maiesties most faithfull, obedient, and bund feruant and subject,

BINNING.

Edinburgh, 29 Merche, [1617?]

To the Kingis most facred Maiestie.

CCCLXIL-LORD BINNING TO THE KING.

Most Sacred Souerane,

I yitternight, late, receiued ane letter from the Archibifchop of Santandrois, fignifieing that he had before writtin to the Deane of Winchefter, to informe your maieftie of his opinion anent the fermons to be made at this approching Chriftmas, in the churches of Edinburgh; and that knowing fenfyne that the deane wes not at court, and fo fearing that your maieftie fould not in dew tyme be aduerteifed of his humble opinion, he hes willed me to fignifie to your maieftie that the ministrie of Edin-

burgh wer earnift with him to preache that day in Edinburgh, which he had refufed, and had willed them to preache in all the churches of the towne that day, knowing manie of the cuntrie to depend upon their exemple: And thairfore, if your maieftic intend that courfe, he earniftlie defires your maieftic to feed letters to them, with all goodlie diligence, declairing to them your express pleafour thairanent.

He wrytis that those ministers still insist with him to fill the place for this tyme, and that Maifter Patrick Galloway, whom he find is best mynded, promifes that from that tyme furth they will tak ordour to obey the actis; and if your maiestie think good that he grant their desire, vpon your maieflies speedie aduerteisment, he fall returne to Edinburgh, and give the people the best fatisfaction he can that day, becaus he wishes all thingis to be done calmelie, forefeing that if they faile to keip the day by their fermons on it, others will be the more animated to difobey; and thairfore thinkis, if his supplieing the place at this tyme, may induce them heirefter to conformitie, it fall not be the worst course, but that he hes not veilded to them as yet, fuspending his resolution till he know your maieflies determination, being reddie to do that office, if fo your maieftic allow: And if your maieftic will have the ministers themselfis to preache, he thinkis it expedient that your maieftie fignific your pleafour be your owne letter as from your felf, declairing that your maiestie will not be content to have one church ferued, except they be all; and if your maiestie allow him to put af this tyme, ypon the hopes they give him of future conformitie, he fall willinglie do it; humblie craiving that vour maiefties pleafour may be speidilie fignified. So, praying God to bliffe your maieflie with long lyfe, health, and all wished prosperities, Lreft

Your Maiesties most humble, faithful, and obedient fubicet and feruant,

BINNING.

Whythall, 8th Dec. [1618?]

To the Kingis most facred Maiestie.

CCCLXIII.-LORD BINNING TO THE KING.

Most Sacred Souerane,

I haue, according to your maiefties direction, tryed the behauiour of the magistrates of Edinburgh at Christmas last; and learned that the prouest, bailies, and counfell, convoyed my lord chancelar to the Hie Church, and wer all present at sermon, so as thair wes no default for want of their good exemple.

The Archibifchop of Santandrois affures me that he hes written to your maieftie of all that he hes tryed concerning the dewtie or videwtifulnes of ministers and others, anent the observation or violation of that holie day, and hes confirmed the trueth of all that I spak to your maiestie of Maister Patrik Galloway and Maister William Struthers faithfull and frank proceiding at that tyme.

Of your maiefties directions concerning the Erle of Argyle, and other particulars, I fall give accompt efter the nixt counfell day.

Maifter Thomas Knox, fone to the Bifchop of the Iles, is to informe your maieftie of the prefent eftate of the Iles, whairby your maieftie will, in your most excellent wisdome, judge what to direct for the perfyte setling of order and obedience in those barbarous pairtis. I have knowne his father and himself so faithfull in your maiefties feruice, as I am consident your maieftie may believe the trueth of his report and sinceritie of his good intentions. So, hairtelie beseeching God to blisse your maiestie with long lyse, perfyte health, and constant prosperitie, I rest

Your most facred Maiesties most humble, faithfull, and obedient subiect and servant,

BINNING.

Edinburgh, penult of Januar, 1619.

To the Kingis most facred Maiestie.

CCCLXIV .- EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

The necessitie of my obedience to your royall commandement forces me to give your maiestie an accompt of the order observed in this towne at Easter, not so gracious as I wished. The ministers have all done there dutie. Maifter Andro Ramfav preached vpon Good Fryday, vpon the first Epittle of Saint Peter, 2 chept. 24 verse. Maister John Guthrie, on Setterday, ypon the fixt verfe of the 26 pfalme, and Maifter Patrik Galloway, vpon Eafter, his text being the 23, 24, 25, and 26 verses of the 11 chep, of the first to the Corinthians; all of them verie worthelie, according to the time and holie fubiects wherof they had to entreat. The number of communicants wes small; no strangers, few of the townes people of good fort. The greatest part received kneeling, following the exemple given by the ministers, and by your maiesties thefaurar deput, aduocat, and me. Maifter Patrik difcreitlie moued fome to kneel who offered to have done otherwayes, but findrie of the base fort, and some wemen, not of the best, did sit. In the Colledge Church I heare by them whom I caufed attend, that the number of communicants far exceiding that of the Hie Church, verie few of them kneeled. Maifter William Struthers, who preached upon Eafter day, upon the 25 verfe of the 11 chept. of the first to the Corinthians, and Mr John Maxwell, who affifted him in the celebration, received vpon there knees, but verie few did imitate them.

It is neither the bifchops nor the most part of the ministers' fault that better obedience is not given, but we have a number of ignorant and perverse people, who in vetitum nituntur; and if without offense I may speake, I believe that time and convenience fall prevaile more to reduce them to conformitie nor suddane or vehement instance, the multitude of the averse appearing to require vt quod a multis peccatur impune paulispersit, least the scandall and difficultie of the remede sould be more hurt-

full nor the toleration for a fhort fpace; the trouble of a rafcallie multitude for a fubic&t which is pretexed with confcience, not feeming feafonable, which I humblie fubmit to your maieflies moft excellent wifdome: And, begging pardon for my prefumption, I befeech God long to faue and profper your maieflie with health and perfite contentment, I reft

Your facred Maiesties most oblished, humble, and obedient subject and feruant,

MELROS.

Edinburgh, 16th April.

To the Kingis most facred Maiestie.

CCCLXV .- EARL OF MELROS TO THE KING.

Most Sacred Souerane,

My knouledge of your maiefties defire to vnderstand the order observed in the church of Edinburgh thir holie dayes, gives me hope of pardon for troubling your maiestie with this accompt. Vpon Good Fryday, Doctor Forbes having chosen for text the 24 verse of the 2 ch. of the first epittle of Sant Peter, first proponed the louable custume of the primitive Church to observe holelie that day; and therefter discoursed verie zealouslie and learnedlie vpon the passion of our Saviour, and frutes therof. The next day, Maister Andro Ramfay, who made the fermon of preparation, took the parable of invitation to the mariage, and punishment of him who came without his wedding garment, mentioned in the 22 of Sant Mathewe's gospell, for his text; which he exponed orderlie, efter his learned maner. Vpon Easter day, Maister Patrik Galloway preached vpon the 23 and following verses of the 11 chep. of the first

to the Corinthians, and therefter proceeded to the miniftration of the holie communion, affifted by Maifter Andro Ramfay; who performed their charge verie religiouflie, and with fuch obedience and deuote conformitie of the people, as there wes not any of the whole communicants that I could fie or heare to have received the holie facrament fitting, except two wemen, and ame bafe man, more worthie to be declared idiot nor to have been admitted to the holie table. I heare that Maifter William Struthers and Doctor Forbes, who ferued in the Colledge Church, performed alfo their duties faithfullie; and albeit the whole counfell and members of Seffion be at vacance in the cuntrie, fo that of that nomber none wer prefent except your maiefties advocat, my felf, and fome of my fones, and fearce any one gentleman; yet the order of the feruice being more exact and perfite nor in preceeding times, the minifters ar forced to take two Sondayes more for feruing the whole congregations. So, befeeching God to grant your maieftie most perfite and constant happines, I rest

Your most facred Maiesties most humble and faithfull subiest and feruant,

Melros.

Edinburgh, 22 April.

To the Kings most facred Maiestie.

CCCLXVL-THE PRIVY COUNCIL TO THE KING.

MOST SACRED SQUERAIGNE.

Vpoun the knawledge of that lettre fend be your maiestie to youre chancellour, and of your maiesties earnest defyre to be treulie and tymouslie informed of the circumstance of that proude contempt and prefumption of some of the people of Edinburgh to censure thair ministeris doctrine; we convenit and mett this day, fend for all the

perfonis exprest in youre maiesties letter, and spent the whole day in examinatioun of thame: And first, wee began with Williame Rig, baillie, and his compliceis, who wer gevin vp to be vrgearis of this centure; and having endit with thame, wee then called vooun the Proueft, Baillies, Deane of Gild, and Thefaurair, whose whole depositionis, after the most ftrict maner that wee could tak the fame, wee haif heirwith fend vp to your maiestie. And tuitcheing our opinioun and cenfure of this præfumptioun and contempt, wee think the fame in generall to be ane offence of bad example, carying with it verie probable appeirances of mutinye and thifme, and thairfoir woorthie of rigorous punishement, by confyneing or fyneing, according to the qualitie of the perfonis, and nature of the offence, quhilk, as wee conceaue, hes three brancheis: First, the publict impugning of Doctor Forbes doctrine be Johne Dickfone, who, with grite humilitie and repentance, acknawledgeis his ouerfight; protefting, gif he had thoght that it wald haif gevin the leaft mater of offence, that he wald neuer haif oppynit his mouthe thairin, and promifing to be more respective of his behaviour in materis of that kynd in all tyme heirester: Secundle, the flanding to and fufteaneing of this point be Williame Rig and Johne Hammiltoun: Thridlie, the vrgeing of the ministeris to celebrate the communioun against the receased ordouris of the Churche, and publict lawes of the kingdome, be the faid Williame Rig and John Meyne: And, last, Williame Symfoun his refusall to ferue the tables at the communioun, in respect of the receased ordour of celebration thairof, and his challenging of Mr Patrik Galloway for not attending of the feffioun. All whilkis, in our opinioun, ar punishable in the awne kynd; bot becaus the not knawing of the qualitie of the perfonis may mak fome miftakeing in the ordour of punishement, wee haif presoomed, for your maiesties better cleiring in this point, to acquainte your maiestie, that Johne Meyne and Williame Symfoun ar bot poore men; the first having the burding of a numerous familie, and the other leiving by his credite in venting of wyne: the other two ar in fome better estaite, bot men of no grite wealthe, and Williame Rig is ane wealthie man. After that wee had endit with thame, wee called for the ministeris, and earneftlie delt with thame to acquaint ws with thair greeves, that accordinglie wee might tak ordour for repairing of the fame. Thay wer sparing to come to particularis, bot in the generall, thay exprest als grite caus of greisse and havynes, as euer pastoris had of thair flocke, quhilk, as thay affirmed, thay euer concealed and boore vp till this laite contempt and indignitie enforced thame now against thair hairtis, after long patience, to reveill the same. Wee haif affured thame of all the famour and concurrence to procure respect to thair personis, and obedience to thair ministerie, that our placeis will allow; and wee haif gevin ordour and direction to the Magistratis of Edinburgh to doe the lyke. This being the effect of our proceiding is in this bussynes, wee humblie present the same to your maiesties princelie consideration, and what your maiestie shalbe forder pleased to command thairin shalbe according beyod. And so, with oure humble and earnest prayers vnto God for your maiesties long and happie reign, wee rest for euer

Your Maiesties most humble and obedyent fubiestis and feruitouris.

GEORGE HAY.
A. MAR.
SANCTANDREWS.

AD. B. OF DUNBLANE. MELROS.
W. OLIPHANT.

Halyrudehoufe, the last of Aprile, 1624.

To the King his most facred and excellent Maiestie.

CCCLXVII.—EXAMINATIONS BEFORE THE LORDS OF PRIVY COUNCIL RELATIVE TO WILLIAM RIG, &c.

At Haliruidhous, the last day of Aprile, 1624: In presence of the Lordis Chancellair and Thesaurair, the Archibishop of St Androis, the Earle of Melros, the Bishop of Dunblane, and Sir Williame Oliphant, Aduocat.

WILLIAME RIG, Baillie of Edinburgh, examined and demandit, yf he wes prefent at the meiting of the nightbouris of the toune in the Litle Kirk, vpoun Twifday after Easter last, deponis, he wes prefent at that meeting.

Demandit, yf, by reafoning or difcourfe, he fuftenit that the doctrine of the paftouris of the faid burgh might be cenfurit in that meeting, deponis, that Johnne Dikfoun haueing regraitit to the meeting ane feruple and doubt that he had apprehendit vpoun occasioun of some speecheis vtterit be Mr Williame Forbes publictlie in a fermone maid be him, faying, that the materis contrauertit betuix the Romane Churche and ws might be easilie reconsiled: and Mr Williame Strutheris, moderatour of the meeting, haueing answerit, that the doctrine of the pastouris wes not to be censured be that meeting, the deponner mantennit the contrair opinioun, saying, that no tryall nor censure could seclude the session of the kirk from thair tryall and censure; alledgeing some passages of scriptour for his warrand, especialie oute of St Johnne, quhair it is writtin, Try the spirittis yf thay be of God or not: And grantis that he sayd the judgement of discretioun belonged till all men.

Demandit, yf he defyrit the ministeris to gif the communioun after the auld maner, grantis the same.

JOHNNE DIKSOUN, flesheour, demandit, yf he wes present at the meeting foirfaid, grantis the same, it being ane vsuall custome in the kirk to keepe the said meeting, and quhairof intimatioun is yeirlie maid be the ministeris vpoun the Sonday preceding to the people to keepe the same.

Demandit, yf at the meeting he vtterit ony fpeecheis concerning Mr Williame Forbes or his doctrine, deponis, that the clerk of the feffioun, haueing defirit the people conuenit to declair quhat thay had to fay aganis thair ministeris, towcheing thair lysse and doctrine, and this deponner haueing hard Mr Williame Forbes, in a fermone maid be him in the Little Kirk, mantene that thair wes findrie contrauertit headis betuix the Romane Churche and ws that might be reconsiled and aggreit; and this haueing bred some scruple and doubt in the deponaris hairt and conscience, he thairupoun tooke occasioun simplie, without choller or spleene, to regrait the same, saying, that he had hard some of our ministeris of auld declair

in thair fermonis, and teatche to thair flocke, that light was no more contrair to darknes, nor Chrift to Belial, nor we and the Romane Churche ar, in pointis of faith and doctrine. And deponis, that he is forie from his hairt that he fould haif challengeit his paflour in publict vpoun thai pointis, and yf he had thoght that offens wald haif bene tane at it, he wald neuer haif done it.

Denyis that he defirit the minifteris to gif the communioun in the auld maner.

Jounne Hamiltoun, apotecour, demandit, yf he wes prefent at the meeting foirfaid, and quhat wes his behauiour thair, deponis, he wes prefent at the faid meeting, whilk meeting is a ordinair cuftome in our Churche vpoun the Twifday afoir the celebration of the commynioun; and the deponner haueing hard Johnne Dikfoun impugne fome pointis of doctrine vtterit be Mr Williame Forbes, anent the materis contranerted betuix ws and the Romane Churche, quhairin, as the deponner thought, the meeting gatt not fatiffactioun, he faid and proponned this questioun, that yf he wer to minister phisick, his patient had ressount trye yf the phisick wer goode and holesome, seing it importit the weele of the body; so, we had mutche more reason to trie the phisick of the faull, whilk is the sweete milk of the worde: and deponis, that he spak this onlie vpoun occasioun of Johnne Diksonis speecheis, and no otherwaves; and denvis that he spak ony thing concerning the commynioun.

JOHNNE MEINE, marcheant, examined, grantis that he wes prefent at the meeting foirfaid, and that he defirit Mr Williame Strutheris to minister the communioum in the auld maner; and grantis that quhen the people wer regraiting the point of doctrine foirfaid, vtterit be Mr Williame Forbes, the deponner, perfaving Mr Andro Ramfay to laugh, he faid vnto him, Weele, Sir, are yow laugheing at the regraitis of the people, yow will ansure to God for it. And he medlit no farder in these materis.

WILLIAME SIMSOUN, mercheant, examined, grantis he wes prefent at the meeting foirfaid, bot fpak no thing concerning the communioun, nor Mr Williame Forbes: grantis that he wes one of the fellioun; regraitit that Mr Patrick Galloway attended not the fellioun, nowther vpoun the Sonday nor oulk day; and grantis that he being defirit, as one of the feffioun, to ferue the table the tyme of the celebration of the communioun, he refuifed to do the fame.

ALEXANDER CLERK, proueft of Edinburgh, demandit, quhat paft betwix him and the nightbouris of the toun at the meeting foirfaid, deponis, that the clerk of the feffioun haueing, conforme to the ordour, askit of the people, yf thay had ony thing to object aganis thair ministeris, concerning thair lyffe and convertation, Johnne Dikfoun, flesheour, raife vp, and with verie grite modeftie defirit to be heard; whilk being grantit vnto him, he faid, that he hard Mr Williame Forbes delyuer fome doctrine in a fermone towcheing the contrauertit point betwix ws and the papiftis, whilk wes contrare to the doctrine formarlie taught vnto him: and he, defiring that his doubtis and fcruple anent that point might be cleirit, the deponner refuifit to fuffer ony medling to be thairin, faying and mantening, that that place and meeting wer not judgeis of thair paftouris doctrine, and that modeflie and requirit that the faid Johnne fould haif gone to his paftour and oppynnit vp his grief vnto him, fra whom he wald haif gottin refolutioun and fatiffactioun anent his doubt; and fo, commanding Johnne filence, he acquiefceit and fpak no forder. And fome twa or three otheris preafling to vrge this mater of new, and that thair greivis in this point might be related to the rest of the ministerie, and Mr Williame challenged thairupoun, the deponner refuifit the fame, impofing filence vnto thame, and fharplie reproducing thame for thair prefumption in thair publict challange of thair minister, of whome, in dewtie, thay fould haif craued refolutioun of thair doubtis fecreitlie betwix thame felffis. Deponis, That guhen the affemblie was riffin, and all vooun thair feite, one, whome the deponner faw not, bot hard his voice, cryed out, defiring the deponner to caus the ministeris gif the communioun in the auld maner.

The other three Baillies, withe Deane of Gild and Thefaurair, adhere to this depositioun, and wer conforme thairto.

CCCLXVIII.-LORDS OF THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERANE,

Wee reffanit your maiefties lettre of the xxi of Maij, by the whiche your maieftie hes fett doun the forme of punishement, whilk your maieftie will haif to be inflictit vpoun thefe of the burgh of Edinburgh, who fo præfumptuouflie cenfurit thair paftouris preatcheing vpoun Twyifday afoir Eafter laft: and, for obedience thairof, haueing convenit and feriouslie aduifit vpoun the best meanes of proceiding in the buffynes, finding it expedient to call the offendouris befoir the counfaill, that thair offence might be knawne to all the nomber, and that the fentence might be pronunceit ordourlie agains thame, for clofing of the mouthis of the commoun multitude, who ar euer readdie, vpoun the leaft occasioun, to mifconftrue all laughfull proceiding is, and wald not haif failled to haif furmifed agains this, as being carved by a few number of felectit perfonis, whome thay accompt partiall, becaus wee ar readdie, according to our bundin dewtie, to obey and execute your maiefties laughfull commandementis; for this effect, wee caufit warne thame befoir the counfaill to this prefent day. Lyke as thay compeirit, and with the proueft, baillies, and whole ministeris, who in ane voice declairit that Williame Rig wes come to ane grite acknowledgement of his formair mifbehaviour, and oute of a fingle and humble hairt, had gevin fatiffactioun and contentment to the ministerie in all these materis whilkis bred the scruple and offence amongis thame; and that he had promeift, by a respective and dewtifull behaviour, in tyme comeing, not onlie to eshew all occasionis of new offence and feandall, but by his goode carriage to give example of the lyke to otheris; and the ministeris ar in opinioun of his future conformitie to all goode ordour. And whereas thay feeke nothing bot ane peaceble ministerie, and to live in that vnitie and love with thair flocke that becometh, thairfoir, thay humblie intreated ws for a mitigatioun of the fentence on the pairt

of the faid Williame, whilk thay thoght wald produce better effectis nor ony rigour that could be vfed agains him: And befydis this thair declaratioun and intreatie, Williame Rig gaif in a verie humble petitioun himfelf ynder his hand, guhairby he cleirit himfelf of fome pointis wherein he wes miftaken in his formair depositioun, as, namelie, that point anent the power of the feffioun to centure thair ministeris, and to excommunicat; wherein he affirmis, that he onlie meaned of the ministeris, with the eldairis and deaconis of whome the feffioun is composed, and no otherwaves, and that he deteftes all opinionis of populair power over the minifterie, as fmelling of that odious opinioun of the Browneiftis, quhairof he proteftis he is free, and difclames the fame as being impious befoir God, fcandalous in a Reformed Churche, and repugnant to all goode ordour: And twitcheing that point of his confessioun, where he grantit that he defyrit the ministeris to celebrate the communioun after the auld maner, he proteftis folemnlie that he never motioned onv fuche mater at the meeting foirfaid; bot being demandit vpoun that point, and fua furpryfed vpoun a fuddane, and not fully refolued thairanent, he made choife rather to confes, then by ane vnaduifit denyall to be broght bak with a lie, whairanent he offerit to fubmitt himfelff to the declaratioun of the proueft and baillies; who, with fome otheris vnfufpect personis who wer present at the meeting foirfaid, being demandit vpoun this point, thay all declairit, vpoun thair grite oathes, that thair wes no fuche mater moved nor fpoken be the faid Williame at that tyme. This petitioun, with the humble and earnest requeift of the prouest, baillies, and ministeris, being hard and throughlie confidderit at the Counfaill table, and it being verie weele knawne to the whole nomber, that your maieftie, oute of your most religious difpositioun towardis the propagatioun and advancement of religioun, doe feik nothing in all this buffynes bot obedience to the ordouris and discipline of the kirke; thay thairfoir inclynit to fatisfie the magistratis and ministeris in this poynt; and hes confyned the faid Williame in his awne houfe, till your maietties forder pleafoure be knowne, and the reft ar directit to the appointit placeis of thair imprisonment and confyneing, except Symfoun, who, in refpect of his pouirtie, notour vnto ws, is maid prisonner in the tolbuithe of Edinburgh; and thay ar all to keepe thair

wardis till your maiefties forder pleafoure be decernit agains thame. Wee haif onlie gone this far for the prefent, as a beginning of thair punishement, and shall hold the rest ouer thair heades till wee see vnto what conformitie this pairt of the punishement drawis thame: and quhen your maiestie salbe pleased to command forder heirin, vpoun the signification of your royall will to the whole Counsaill, it salbe obeyit. And so, remembring our humble and earnest prayeris vnto God for your maiesties lang and happie reign, wee rest

Your Maiesties most humble and obedient fubicetis and feruitouris.

GEORGE HAY. A. MAR.

MELROS.

W. OLIPHANT. Ad. B. of Dunblane.

Halyruidhoufe, the tent of Junij, 1624.

To the King his most facred and excellent Maiestie.



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